



Town of Arlington Board of Selectmen

Meeting Agenda

March 27, 2017

7:15 PM

Selectmen's Chambers, 2nd Floor, Town Hall

PROCLAMATIONS

1. Proclamation: Stephen J. Gilligan, Treasurer & Collector of Taxes

CONSENT AGENDA

2. Minutes of Meetings: March 13, 2017
3. Request: Special (One Day) Beer & Wine License, 4/2/17 @ Robbins Memorial Town Hall for a Private Event
Audrey Roth
4. Request: Special (One Day) All Alcohol License, 4/15/17 @ Whittemore Robbins House for a Private Event
Francis McWeeny
5. Request: Special (One Day) Beer & Wine License, 4/15/17 @ Arlington Center for the Arts Theater, 41 Foster Street for Blues Apocalypse 3.0
Carol Band
6. Appointments of New Election Workers: (1) Dewynn Diggins, 208 Renfrew Street, U, Pct. 14; (2) Dorothea Jacobsen, 54 Medford Street, R, Pct. 7; (3) Lynne Sullivan, 23 Coleman Road, U, Pct. 14

APPOINTMENTS

7. Board of Registrar of Voters
William Logan (term to expire 3/31/2018)
8. Zoning Board of Appeals, Associate Member (term to expire 10/1/2019)
Diane M. Mahon, Chair

LICENSES & PERMITS

9. Request: Sidewalk Cafe Permit
Caffe Nero, 311-321 Broadway, Bruce Kidder (Business Representative)

CITIZENS OPEN FORUM - SIGN IN PRIOR TO BEGINNING OF OPEN FORUM

Except in unusual circumstances, any matter presented for consideration of the Board shall neither be acted upon, nor a decision made the night of the presentation in accordance with the policy under which the Open Forum was established. It should be noted that there is a three minute time limit to present a concern or request.

TRAFFIC RULES & ORDERS / OTHER BUSINESS

10. For Approval: Kurt Brown Memorial 5K Road Race 4/30/17
Craig McDonnell
11. For Approval: World Vision Global 6K For Water 5/7/17
World Vision, Christina Lee

FINAL VOTES & COMMENTS

Articles for Review:

- Article 11 Bylaw Amendment/Residential Construction, Open Excavation, and Demolition Activity Regulations: Neighbor Notifications and Meetings
- Article 12 Bylaw Amendment/Residential Construction, Open Excavation, and Demolition Activity Regulations: Building Site Maintenance
- Article 13 Bylaw Amendment/Residential Construction, Open Excavation, and Demolition Activity Regulations: Abutter and Public Property Protections
- Article 14 Bylaw Amendment/Residential Construction, Open Excavation, and Demolition Activity Regulations: Noise Abatement
- Article 17 Bylaw Amendment/Regulation of Plastic Bags
- Article 19 Vote/Appointment of Town Treasurer (tabled from 3/13/17 meeting)
- Article 26 Acceptance of Legislation/Establishment of a Parking Benefits District
- Article 29 Endorsement of CDBG Application
- Article 30 Bylaw Amendment/Departmental Revolving Fund Bylaw
- Article 31 Revolving Funds
- Article 59 Resolution/Sanctuary Town (tabled from 3/13/17 meeting)

CORRESPONDENCE RECEIVED

- Requesting Reduction to Traffic on Alfred Road and Lake Street
Tom and Romy Wilhelm with Alfred Road Residents
- Request Removal of Parking Prohibition on Mystic Street
Paul Schlichtman, 47 Mystic Street

NEW BUSINESS

EXECUTIVE SESSION

Next Scheduled Meeting of BoS April 3, 2017



Town of Arlington, Massachusetts

Proclamation: Stephen J. Gilligan, Treasurer & Collector of Taxes

ATTACHMENTS:

Type	File Name	Description
Reference Material	PROCLAMATION_SELECTMEN_for_SGilligan_Treasurer__March27_2017.doc	Proclamation

OFFICE OF THE BOARD OF SELECTMEN

DIANE M. MAHON, CHAIRMAN
DANIEL J. DUNN, VICE-CHAIRMAN
KEVIN F. GREELEY
JOSEPH A. CURRO, JR
STEVEN M. BYRNE

730 MASSACHUSETTS AVENUE
TELEPHONE
781-316-3020
781-316-3029 FAX



TOWN OF ARLINGTON
MASSACHUSETTS 02476-4908

PROCLAMATION

WHEREAS: Stephen J. Gilligan is a life-long resident of the Town of Arlington, formerly the Village of Menotomy and the Town of West Cambridge, living on Cleveland Street and Falmouth Road, and three generations of Gilligans having lived at his current residence; and

WHEREAS: Stephen Gilligan attended the John A. Bishop Elementary School, Junior High East, and graduated Arlington High School in 1972; and

WHEREAS: Stephen Gilligan learned dedication of service to others by attaining the Eagle Scout Award – Scouting’s highest, and has devoted decades of public service to our Town serving as a Town Meeting Member since his 24th year of age, a member of the Historic District Commission for five years creating new districts, Chairman of the Conservation Commission for ten years, crafting and leading the enactment of the Wetlands Protection & Flooding by-law; and

WHEREAS: Stephen Gilligan held the confidence of the voters of the Town, being elected to three terms as a Selectmen, developing three by-laws: Repairs to Private Ways, Beer & Wine Restaurant Licenses, the Cyrus E. Dallin Museum, as well as supporting the creation of the Human Rights Commission; and

WHEREAS: Stephen Gilligan, with the confidence of the voters being elected to serve eleven years as Treasurer & Collector of Taxes, recovered \$11 Million in owed School funds, and recouped over \$1 Million in litigating against a national financial institution, as well as fulfilling a strategic goal by proactively attaining a Triple-A credit rating for our Town; and

WHEREAS: Stephen Gilligan retires from public life with forty years of service to the Town of Arlington;

NOW, THEREFORE, BE IT RESOLVED:

THAT WE, THE MEMBERS OF THE BOARD OF SELECTMEN, CONGRATULATE STEPHEN J. GILLIGAN ON HIS MANY YEARS OF ACCOMPLISHMENTS AND SERVICE TO HIS FAMILY, FRIENDS, NEIGHBORS AND FELLOW RESIDENTS OF THE TOWN, DO HEREBY PROCLAIM FRIDAY MARCH 31ST IN THE YEAR TWO-THOUSAND-SEVENTEEN AS STEPHEN J. GILLIGAN DAY, WITH ALL THE HONORS AND PRIVILEGES FORTHCOMING.

*Birthplace of “Uncle Sam” – Our National Symbol
Samuel Wilson – Born in the Town – September 13, 1766*



BY:

Diane M. Mahon, Chairman

SELECTMEN

Daniel J. Dunn, Vice Chairman

OF THE

Kevin F. Greeley

TOWN

Joseph A. Curro, Jr.

OF

Steven M. Byrne

ARLINGTON

A true record.
ATTEST:

By: _____
Marie A. Krepelka, Board Administrator



Town of Arlington, Massachusetts

Minutes of Meetings: March 13, 2017

ATTACHMENTS:

Type	File Name	Description
▣ Reference Material	3.13.17_draft_minutes.docx	draft minutes 3.13.17

TOWN OF ARLINGTON
BOARD OF SELECTMEN

Meeting Minutes
Monday, March 13, 2017
6:00 PM

Present: Mrs. Mahon, Chair, Mr. Dunn, Vice Chair, Mr. Byrne, and Mr. Curro
Also Present: Mr. Chapdelaine, Mr. Heim and Mrs. Sullivan
Absent: Mr. Greeley

Mr. Chapdelaine gave a storm update that the schools will be closed Tuesday/March 14th and a parking ban will begin at 9:00 a.m.

1. Introduction: Newly Appointed Redevelopment Board Member
Eugene Benson (term to expire 1/31/2020)

Mr. Benson expressed that he looks forward to helping fulfill Master Plan actions through his work on the ARB. The Board thanked Mr. Benson for volunteering.

CONSENT AGENDA

2. Minutes of Meetings: February 27, 2017
3. For Approval: Free Parking Saturday, March 18, 2017, 8:00 a.m. - 3:00 p.m. in the Russell Common Lot and Rail Road Lot (Lamson Way) for Civics Day
Kylee Sullivan, Civics Day Planning Committee
4. Request: Special (One Day) All Alcohol License, 3/25/17 @ Dearborn Academy Gymnasium, 34 Winter Street for Lesley Ellis School Spring Party for Financial Assistance
Jen Hodgdon, Director of Development, Lesley Ellis School
5. Request: Special (One Day) All Alcohol License, 4/8/17 @ Robbins Memorial Town Hall Auditorium for Waldorf School of Lexington Spring Benefit
Susan Krupp, Director of Development, Waldorf School
6. Request: Contractor/Drainlayer License
Feeney Brothers Excavation LLC, 103 Clayton Street, Dorchester, MA
Mr. Byrne moved approval. SO VOTED (4-0)

PUBLIC HEARINGS

7. 7:15 p.m. Eversource and Verizon Petition/Gould Road
Richard Schifone, Rights and Permits
(all abutters notified)
Mr. Curro moved approval subject to all conditions set forth. SO VOTED (4-0)

APPOINTMENTS

8. Equal Opportunity Advisory Committee
Lori Lennon (term to expire 1/31/2020)

Mr. Dunn moved approval.

SO VOTED (4-0)

TRAFFIC RULES & ORDERS / OTHER BUSINESS

9. Vote: Approve Committee Scope and Proposed Membership - Surveillance

Adam W. Chapdelaine, Town Manager

The Selectmen voted No Action be taken under this article and instead suggested creating a study group of the Selectmen instead of Town Meeting.

Mr. Chapdelaine proposed the following committee scope and membership in consultation with W.A. #21 proponent Stephen Revilak. The committee will review existing surveillance technology across Town Departments (including indoor & outdoor) and The Arlington Housing Authority, understanding the Town has no jurisdiction over this agency. The review will include: existing technology deployment, review of existing policies regarding use of this technology, and review of the value of surveillance data as either evidence or as a crime deterrent. The membership will include: Town Counsel, Chief Technology Officer or designee, Police Chief or designee, Facilities Director or designee, Human Rights Representative, and three (3) Town residents.

Mr. Dunn moved approval.

SO VOTED (4-0)

10. Vote: Authorize Town Manager to Negotiate Purchase and Sale for 1207 Mass Ave.

Adam W. Chapdelaine, Town Manager

At 8:02 PM Mr. Byrne recused himself from this agenda item/vote.

Mr. Chapdelaine reported that the proposal meets all the minimum criteria as set forth in the RFP. He recommends that the Board accept the bid of James F. Doherty/1211 Massachusetts Avenue Realty Trust subject to successful negotiation of a purchase and sale agreement. Mr. Chapdelaine further requested that the Board authorize him to enter into negotiations with the aim of bringing a final purchase and sale agreement before the Board at a future meeting. Mr. Chapdelaine stated there are no parking waivers included in this proposal.

Mr. Dunn moved approval to enter into negotiations.

SO VOTED (3-0)

At 8:07 Mr. Byrne returned to the meeting.

11. Discussion: Future BoS Meetings

After some discussion the following meeting dates were unanimously agreed upon:

April 10, April 24 @ 6:30 PM

May 8 @ 6:30PM, May 15

June 5, June 19

WARRANT ARTICLE HEARINGS

Articles for Review:

Mr. Chapdelaine explained that last year's Town Meeting voted to have him create a Residential Study Group. This group met over a dozen times, talked and surveyed many people who lived near construction sites and the impact of the construction process on their lives.

Attorney Heim reported that the Residential Study Group worked hard to develop recommendations. A single document was developed outlining Town Bylaws and State Regulations that will protect abutters from impacts caused by residential construction. Mr. Chapdelaine expressed that everyone feels good about these recommendations and after more work through this summer this article will probably come back at the Fall Special Town Meeting.

Article 11 BylawAmendment/Residential Construction, Open Excavation, and Demolition
Activity Regulations: Neighbor Notifications and Meetings

Attorney Heim summarized this article as ensuring neighbors within 200 feet of a residential demolition, open foundation excavation, new construction, or large addition project are notified of the project before it commences and provides with information on the expected schedule of the work, scope of the project, and means of mitigating some potential impacts upon abutting properties.

Article 12 BylawAmendment/Residential Construction, Open Excavation, and Demolition
Activity Regulations: Building Site Maintenance

Article 13 BylawAmendment/Residential Construction, Open Excavation, and Demolition
Activity Regulations: Abutter and Public Property Protections

Attorney Heim summarized that articles #12 & #13 both address similar issues in residential construction-maintenance of the construction site and protections for abutters. The proposal recommends categories of construction projects that require compliance with specific site maintenance rules.

Article 14 BylawAmendment/Residential Construction, Open Excavation, and Demolition
Activity Regulations: Noise Abatement

Attorney Heim summarized this article as adjusting permissible hours of certain construction activity. The Selectmen unanimously agreed these articles represent hard work and are good recommendations.

Steve McKenna, 4 Upland Road, stated the heavy debates were both enlightening and eye opening that resulted in a construction agreement. He felt the exchange of information through communication between builder and abutter is the most important improvement in the process. Wynelle Evans, 20 Orchard Place, emphasized the importance of communication after they had conducted site visits. He said the one document from the builder outlining the work is good for both the builder and for the neighbors.

Joe Barr, 24 Park Street, supports these recommendations and summarized the process as thoughtful.

Mr. Curro requested a mechanism where the builder information document gets to the renter not just the owner of a house. Mr. Chapdelaine expressed it would be hard to guarantee that the information would be forwarded by home owner/landlords, but suggested a flyer could be distributed to residences.

Mr. Dunn moved favorable action.

SO VOTED (4-0)

Article 17 BylawAmendment: Regulation of Plastic Bags

This is a ten-registered voter article reducing the use of plastic bags in retail establishments.

Jim Ballin/30 Swan Place, Laura Kiesel/260 Mass. Ave., Greg Dennis/19 Wheaton Street spoke as a group of concerned citizens on behalf of this article to ban single use plastic bags at check out in stores and restaurants while exempting paper bags and other plastic bags.

Jim Dutullio, 31 Fountain Road, proposed that the Town phase in the implementation program to reduce plastic bags:

-large plastic bags by March 2018

-small plastic bags by July 2018

The Selectmen unanimously agreed that this was one of the best citizen articles submitted and the outreach and research preparation was helpful.

Mr. Byrne moved favorable action.

SO VOTED (4-0)

Article 26 Acceptance of Legislation/Establishment of a Parking Benefits District

This article will enable the Town to establish "Parking Benefits Districts" which allows segregating revenues from receipts and allows the revenues to be used for a wide range of purposes within that designated parking district.

Mr. Byrne moved favorable action.

SO VOTED (4-0)

Article 29 Endorsement of CDBG Application

This is a standard annual article to endorse CDBG for FY2018.

Mr. Dunn explained the article is level funded with no new applicants.

Mr. Dunn moved favorable action.

SO VOTED (5-0)

Mr. Chapdelaine has a vote in this endorsement.

Article 30 Bylaw Amendment/Departmental Revolving Fund Bylaw

Attorney Heim explained that this article enables the Town to streamline revolving fund administration so that only total budget amount of funds need be annually re-authorized.

Mr. Viscay said this will streamline the process of the article right to Town Meeting for approval. He further stated there are 16 funds in total which is the same as last year. Mr. Viscay told the Selectmen that anytime they want to request a report on the funds he'd be happy to report on them.

Mr. Dunn moved favorable action.

SO VOTED (4-0)

Article 31 Revolving Funds

This is a standard annual article for Town Meeting to examine revolving funds.

Mr. Dunn moved favorable action.

SO VOTED (4-0)

FINAL VOTES & COMMENTS

Articles for Review:

Article 15 BylawAmendment/Pride Commission

Article 18 BylawAmendment/Appraisals of Town Property Interests

Article 19 Vote/Appointment of Town Treasurer

Article 20 Vote/Email Accounts for Members of Public Bodies
Article 21 Vote/Surveillance Study Group
Article 22 Acceptance of Legislation/Senior Property Tax Work-Off Program
Article 23 Acceptance of Legislation/Veteran Property Tax Work-Off Program
Article 24 Acceptance of Legislation/Elderly and Disabled Taxation Fund
Article 25 Acceptance of Legislation/CPI Adjustment for Elderly Residents
Article 59 Resolution/Sanctuary Town
Article 60 Resolution Supporting State and Federal Legislation that Provides Greater Transparency in Political Donations and Limits the Influence of Money in Politics

Attorney Heim stated that the Final Votes & Comments on Articles #19 & #59 are tabled until the next meeting.

Mr. Dunn moved approval of Articles, #15, #18, #20, #21, #22, #23, #24, #25, and #60.

SO VOTED (4-0)

CORRESPONDENCE RECEIVED

Community Preservation Committee Presentation to Finance Committee
Clarissa Rowe, Community Preservation Committee Chair

Mr. Byrne moved receipt of correspondence.

SO VOTED (4-0)

NEW BUSINESS

Mr. Chapdelaine reported that all State non-emergency offices and all schools will be closed for Tuesday because of the forecasted storm. He announced Arlington will be closed also.

Mr. Chapdelaine announced that the Town had just been awarded a municipal budget grant for \$500,000 to repair the Mill brook bridge near the Police station on Mystic Street. This along with a grant award of \$400,000 for the Complete Streets Project is a great help to the Town.

Mr. Dunn reported from the Audit Advisory Committee Meeting the auditors stated that in the future the balance sheet will reflect a change in how retirement pension funds and OPEB funds will be reported. The balance sheet will look worse due to the change but will not affect or change the bond rating for the Town.

Mr. Dunn reminded everyone that Saturday is Civics Day from 10 AM - 2 PM in the Town Hall. The public is invited to meet with the professional staff from the Town's departmental offices and Town Meeting representatives.

Mrs. Mahon stated that several participants from the last meeting called to compliment and thank the Board how on well the Warrant Article Hearings went at the last meeting. There was some confusion on the time limit that Town Moderator Leone imposed at Town Meeting on the Sanctuary Town Article. Mrs. Mahon advised people to contact the Town Moderator, John Leone, for more information on Town Meeting proceedings.

Mrs. Mahon requested there be a future joint Selectmen and School Committee Meeting to discuss the DOR Report.

Mrs. Mahon reported that the Arlington Eats fundraiser at the Town Hall went very well and that this organization distributed 4800 meals last year. He challenged the other Selectmen to attend a kick off meal in July or August and help serve with the other volunteers.

Mr. Dunn moved to adjourn at 8:30 PM.

SO VOTED (4-0)

A true record attest:
Mary Ann Sullivan
Selectmen's Office

Next Scheduled Meeting of BoS March 27, 2017.

3/13/17

Agenda Item	Documents Used
1	Newly Appointed Redevelopment Board Member / Eugene Benson
2	Draft minutes 2.27.17
3	Civics Day Parking Request
4	Lesley Ellis School Special License Application
5	Waldorf School of Lexington Special License Application
6	Contractor/Drainlayer License Application Packet – Feeney Brothers Excavation LLC
7	Arlington Engineering Grant of Location Recommendations 2.13.17 Eversource Request
8	Appointment: Equal Opportunity Advisory Committee – Lennon Appointment
9	Surveillance Study Committee Memo / Town Manager Memorandum to Board
10	1207 Mass Ave Purchase and Sale Authorization Memo Request for Proposals Bid
11	2017 Calendar April – August
W. A. Hearings	D. Heim comments on warrant articles Letter sent 10 Registered voters W.A. #14 and 17 BoH comments W.A #17 Feeney Memo Plastic Bag Ban Slides Plastic Bag Bylaw FAQ List of cities and towns Title VIII Art 9 Plastic Bag Reduction Somerville Model Sierra Club 3.7.17 Letter Arlington Article 17 MyRWA Endorsement Letter from Friends of Spy Pond Park ARC Letter to BoS L. Melvin E-Mail Erik E-Mail CDBG Report to Board of Selectmen 3.13.17 – Final Version FY2016 Revolving Fund Expenditure Detail – Final Revolving Fund Warrant Article FY2018
Final Votes & Comments	Articles for Review: 2017 Annual Town Meeting Draft Votes and Comments #1 Articles 15, 18, 19, 20, 21, 22, 23, 24, 25, 60



Town of Arlington, Massachusetts

Request: Special (One Day) Beer & Wine License, 4/2/17 @ Robbins Memorial Town Hall for a Private Event

Summary:

Audrey Roth

ATTACHMENTS:

Type	File Name	Description
▢ Reference Material	Roth_Wedding_Special_Application.pdf	Special Beer and Wine Application

OFFICE OF THE BOARD OF SELECTMEN



TOWN OF ARLINGTON
MASSACHUSETTS 02476-4908

SPECIAL ALCOHOL LICENSE APPLICATION

Name of Applicant: Audrey Roth

Address, phone & e-mail contact information:

15H Douglas Ave., Maynard, Ma 01754 617-797-1780
aroth@convergentgc.com

Name & address of Organization for which license is sought:

NA

Does this Organization hold nonprofit status under the IRS Code? ☐ Yes ☒ No

Name of Responsible Manager of Organization (if different from above): same

Address, phone & e-mail contact information:

same

Has the Applicant or Organization applied for and/or been granted a special liquor license this calendar year? ☒ NO ☐ If so, please give date(s) of Special Licenses and/or applications and title of event(s).

Is this event an annual or regular event? If so, when was the last time this event was held and at what location?

NA

24-Hour contact number for Responsible Manager on Event date:

Ed Garlawa, Owner, Premier Barrening

Title of Event:

wedding reception

Date/time of Event:

Sunday, April 2, 2017 3:00 pm - 6:30- pm

Location of Event: Arlington Town Hall

Location/Event Coordinator: Patsy Kraemer/Vicki Rose

Method(s) of invitation/publicity for Event:

Invitation

Number of people expected to attend: 130

Expected admission/ticket prices: NAS

Expected prices for food and beverages (alcoholic and non-alcoholic):

NA

Will persons under age 21 be on premises? yes - guests of wedding couple

If "yes," please detail plan to prevent access of minors to alcoholic beverages.

Bartenders will check for ID's

Have you consulted with the Department of Police Services about your security plan for the Event?

YES

OFFICE USE ONLY

For Police Chief, Operations Commander, or designee:

Your signature below indicates that you have discussed this event with the applicant, you have reviewed the applicant's security plan, and any necessary police details have been arranged for the Event.

Off. Corey P. Rataeau
Printed name/title

Date 3/24/7

POLICE COMMENTS:

What types of alcoholic beverages do you plan to serve at the Event? (Note: By State Law, all-alcohol Special Licenses are available only to nonprofit organizations.)

beer/wine

What types of food and non-alcoholic beverages do you plan to serve at the Event?

full dinner menu waters/sodas

Who will be responsible for serving alcoholic beverages at the Event?

Premier Bartending Service

What training or certification in responsible alcohol service does this person have? Please attach certificate or other proof of training for at least one person who will have responsibility for serving alcoholic beverages at each point of service and who will be present for the entire Event.

TIPS CERTIFICATION

Please list the names and dates of birth for all people who will be responsible for serving alcoholic beverages at the Event. Anyone serving alcoholic beverages must be at least 21 years of age.

Name of the Massachusetts wholesaler who will deliver to site? (Full supplier list available on the ABCC website: www.mass.gov/abcc:

Atlas Liquors, Medford

Date of Delivery: 4/2/2017

Alcohol Serving Time (s) 3:00 pm - 6:00 pm

How, when, and by whom will excess alcoholic beverages obtained for the Event be disposed of?

Atlas will take back what is not used.

Date of Pick-Up:

4/3/2017

Please provide details (insurance company, type of policy, name of insured, and policy limits) of any relevant insurance coverage for the Event, included but not limited to General Liability and Liquor Liability insurance. (You may be asked to supply a certificate or other proof of adequate insurance coverage.)

ATTACHED

**Please submit this completed form and filing fee to the Board of Selectmen
at least 21 days before your Event. Failure to provide complete**

information may delay the processing of your application.

I HAVE READ AND UNDERSTAND ALL RULES AND REGULATIONS:

Signature: _____

Printed name: _____ Audrey Roth _____

Printed title & Organization name: _____

Email: aroth@convergentge.com _____

revised: 5/18/2015 reformatted: 2/25/2016



ROBBINS MEMORIAL TOWN HALL AUDITORIUM
730 Massachusetts Avenue, Arlington, Ma. 02476

9 March 2017

SECURITY PLAN FOR ROTH WEDDING

A wedding for Audrey Roth and her partner will be held on Sunday April 2, 2017, in the auditorium at Arlington Town Hall. The event is scheduled for 3:00 pm to 6:30 pm.

A One-Day Permit has been submitted to the Selectmen's Office.

This is the Security Plan.

We anticipate approximately 130 guests to attend. We anticipate some attendees will be under age. Therefore the bartending service will ID attendees.

Patsy Kraemer will be the event coordinator for the event. Greg Stathopoulos will be the custodian for the event. Hostess Catering will be catering the event and Premier Bartending will provide the bartending service and will provide the TIPS certified bartending staff. The Roth family and the groom's family are all responsible for ensuring that the event runs smoothly.

A fire services detail will be hired for the event. This officer will be available to help with any emergency situations that may arise.

Parking for the event will be available in the Town Hall parking lot, the parking lot at the Central School office building directly behind Town Hall, and on the side streets, as well as Mass. Ave.

April 2 event

TIPS eTIPS On Premise 2.0 SSN: XXX-XX-XXXX
Issued: 11/18/2015 Expires: 11/18/2018
ID#: 4129771 D.O.B.: XXX/XX/XXXX

Allan J Gray
Capers Catering
21 Emerson St
Stoneham, MA 02180-2053

For service visit us online at www.gettips.com

11/27/01

TIPS eTIPS On Premise 2.0 SSN: XXX-XX-XXXX
Issued: 11/18/2015 Expires: 11/18/2018
ID#: 4129671 D.O.B.: XXX/XX/XXXX

Diane Maini
Capers Catering
21 Emerson St
Stoneham, MA 02180-2053

For service visit us online at www.gettips.com

3/1/02



GORDWAL-02

JHOGAN

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

03/10/2017

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Roblin Insurance Agency 144 Gould Street Suite 100 Needham, MA 02494	CONTACT NAME:	FAX (A/C, No): (781) 449-8976	
	PHONE (A/C, No, Ext): (781) 455-0700		
	E-MAIL ADDRESS: certificates@roblininsurance.com		
INSURED Premier Catering & Bar Service LLC PO Box 540310 Waltham, MA 02454	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A: Mount Vernon Fire Co		
	INSURER B: StarStone National Insurance Company		25496
	INSURER C: U.S. Liability Ins. Co.		
	INSURER D:		
	INSURER E:		
	INSURER F:		

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY			BINDER	03/11/2017	03/11/2018	EACH OCCURRENCE \$ 1,000,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR		DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000				
			MED EXP (Any one person) \$ 5,000				
			PERSONAL & ADV INJURY \$ 1,000,000				
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE \$ 2,000,000
	<input type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC						PRODUCTS - COMP/OP AGG \$ 2,000,000
	OTHER:						HIRED NONOWNED \$ 1,000,000
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident) \$
	<input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS						BODILY INJURY (Per person) \$
	<input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						BODILY INJURY (Per accident) \$
							PROPERTY DAMAGE (Per accident) \$
B	<input type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR			88915C175ALI	03/11/2017	03/11/2018	EACH OCCURRENCE \$ 5,000,000
	<input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE		AGGREGATE \$ 5,000,000				
	<input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$						
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/>
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y <input checked="" type="checkbox"/> N		N/A				E.L. EACH ACCIDENT \$
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE \$
							E.L. DISEASE - POLICY LIMIT \$
C	Liquor Liability			CL1569703C	03/11/2017	03/11/2018	per Occurrence 1,000,000
C	Liquor Liability			CL1569703C	03/11/2017	03/11/2018	Aggregate 2,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
The Town of Arlington is additional insured with regard to liability of the named insured.

CERTIFICATE HOLDER

CANCELLATION

Town of Arlington
Town Hall
730 Massachusetts Ave.
Arlington, MA 02476

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE



Town of Arlington, Massachusetts

Request: Special (One Day) All Alcohol License, 4/15/17 @ Whittemore Robbins House for a Private Event

Summary:

Francis McWeeny

ATTACHMENTS:

Type	File Name	Description
▢ Reference Material	McWeeny_Anniversary_Party.pdf	Special Alcohol License Application

OFFICE OF THE BOARD OF SELECTMEN



TOWN OF ARLINGTON
MASSACHUSETTS 02476-4908

SPECIAL ALCOHOL LICENSE APPLICATION

Name of Applicant: *Francis McWeeny*

Address, phone & e-mail contact information: *74 Churchill Avenue, Arlington, MA 02476; 781-646-1892; markglasser@comcast.net*

Name & address of Organization for which license is sought:

Does this Organization hold nonprofit status under the IRS Code? ____ Yes ☒ No

Name of Responsible Manager of Organization (if different from above): **Doreen Raftery**

Address, phone & e-mail contact information: P.O. Box 330, Humarock, MA 02047; 617-529-4649; dinnersdelivered@aol.com

Has the Applicant or Organization applied for and/or been granted a special liquor license this calendar year? ____ *No* ____ If so, please give date(s) of Special Licenses and/or applications and title of event(s).

Is this event an annual or regular event? If so, when was the last time this event was held and at what location? *One Time event*

24-Hour contact number for Responsible Manager on Event date: Doreen Raftery 617-529-4649

Title of Event: *Anniversary Party*

Date/time of Event: *April 15, 2017; 5pm-11pm*

Location of Event: *Whittemore Robbins House*

Location/Event Coordinator: *Victoria Rose*

Method(s) of invitation/publicity for Event: *Mail*

Number of people expected to attend: *80 guests*

Expected admission/ticket prices: *N/A*

Expected prices for food and beverages (alcoholic and non-alcoholic): *N/A*

Will persons under age 21 be on premises? There will be no guests under the age of 21.

If "yes," please detail plan to prevent access of minors to alcoholic beverages. *Tips Certified
Bartender will monitor the bar and follow the rules of certification.*

Have you consulted with the Department of Police Services about your security plan for the Event?

Yes

OFFICE USE ONLY

For Police Chief, Operations Commander, or designee:

Your signature below indicates that you have discussed this event with the applicant, you have reviewed the applicant's security plan, and any necessary police details have been arranged for the Event.

Off. Corey P. Roteau Date *3/24/17*
Off. Corey P. Roteau
Printed name/title

POLICE COMMENTS:

What types of alcoholic beverages do you plan to serve at the Event? (Note: By State Law, all-alcohol Special Licenses are available only to nonprofit organizations.)

Beer and Wine and mixed Drinks.

What types of food and non-alcoholic beverages do you plan to serve at the Event? Water, soda, coffee, tea. Hors D'oeuvres: Beef Tenderloin on a toasted baguette; Southwest Pan-Fried Pork Dumplings; Roasted Pork Tenderloin; Lobster Salad; Salmon Satay; Crab Cakes; Chicken, Fig and Pancetta Bites; Vegetable and Fruit Trays; Imported and Domestic Cheese with fruit and crackers.

Who will be responsible for serving alcoholic beverages at the Event? Bill Fuller, owner, The Bartending Service of New England and bartenders. See below.

What training or certification in responsible alcohol service does this person have? Please attach certificate or other proof of training for at least one person who will have responsibility for serving alcoholic beverages at each point of service and who will be present for the entire Event.

TiPs Certification

Please list the names and dates of birth for all people who will be responsible for serving alcoholic beverages at the Event. Anyone serving alcoholic beverages must be at least 21 years of age.

Andrew Lefebure 12/30/94, Jonathan Gentile 12/10/89, William Fuller 8/2/65.

Name of the Massachusetts wholesaler who will deliver to site? (Full supplier list available on the ABCC website: www.mass.gov/abcc) **Baystate Wine Company and Trio Wine Company**

Date of Delivery: **April 15, 2017**

Alcohol Serving Time (s): **6:00pm-9:30pm**

How, when, and by whom will excess alcoholic beverages obtained for the Event be disposed of?
Opened bottles will be taken by client and unopened will be picked up by wholesalers.

Date of Pick-Up: **April 15, 2017**

Please provide details (insurance company, type of policy, name of insured, and policy limits) of any relevant insurance coverage for the Event, included but not limited to General Liability and Liquor Liability insurance. (You may be asked to supply a certificate or other proof of adequate insurance coverage.) **Liability forms and TiPs Certification attached**

**Please submit this completed form and filing fee to the Board of Selectmen
at least 21 days before your Event. Failure to provide complete
information may delay the processing of your application.**

I HAVE READ AND UNDERSTAND ALL RULES AND REGULATIONS:

Signature: **Francis McWeeny**

Printed name: **Francis McWeeny**

Printed title & Organization name: **Anniversary Party**

Email: **markglasser@comcast.net**

Francis McWeeny
74 Churchill Avenue Arlington, MA 02476
781-646-1892
markglasser@comcast.net

March 14, 2017

SECURITY PLAN for Anniversary Party at the Whittemore Robbins House on April 15, 2017

This event is an Anniversary Party.

The event is scheduled for Saturday, April 15, 2017 from 5:00pm-11:00pm at the Whittemore Robbins House.

A One-Day Permit has been submitted to the Selectmen's Office.

This is the Security Plan.

We anticipate approximately 80 adults. There will be no guests under the age of 21.

The menu includes: beer, wine, liquor, juice, soda, water. Food items: Beef Tenderloin on a toasted baguette, Pork Dumplings, Pork Tenderloin, Lobster Salad, Salmon Satay, Crab Cakes, Chicken, Fig, and Pancetta Bites, Cheese and Crackers, Vegetable and Fruit Tray.

The Bartending Service of New England will provide the bartending staff. The bartender is TiPs certified. All rules regarding alcohol beverage service will be followed as understood from TiPS Certification training by the bartender. Bar service will begin at 6:00pm and end at 9:30pm.

Victoria Rose, Event Coordinator, will be on site to monitor the use of the Whittemore Robbins House. Doreen Raftery, from Classic Catering, will be the responsible manager for this event. Doreen and her staff will manage food service. Bill Fuller from The Bartending Service of New England will handle beverage service. All will be responsible for ensuring that the event runs smoothly.

Please advise if there are other items that we need to consider.



TIPS On Premise SSN: XXX-XX-XXXX
Issued: 2/12/2015 Expires: 2/1/2018
ID#: 3918281 D.O.B.: XXX/XX/XXXX

JONATHAN GENTILE
13 W End Ave
Middleboro, MA 02346-1920

For service visit us online at www.gettips.com
Michael Marcantonio, 64



TIPS On Premise SSN: XXX-XX-XXXX
Issued: 2/12/2015 Expires: 2/1/2018
ID#: 3918267 D.O.B.: XXX/XX/XXXX

ASHLEY R TIBBETTS
13 W End Ave
Middleboro, MA 02346-1920

For service visit us online at www.gettips.com
Michael Marcantonio, 64



TIPS On Premise SSN: XXX-XX-XXXX
Issued: 2/12/2015 Expires: 2/1/2018
ID#: 3918272 D.O.B.: XXX/XX/XXXX

ANDREW B LEFEBURE
13 W End Ave
Middleboro, MA 02346-1920

For service visit us online at www.gettips.com
Michael Marcantonio, 64



TIPS On Premise SSN: XXX-XX-XXXX
Issued: 2/12/2015 Expires: 2/1/2018
ID#: 3918279 D.O.B.: XXX/XX/XXXX

MICHAEL F CONNOLLY
13 W End Ave
Middleboro, MA 02346-1920

For service visit us online at www.gettips.com
Michael Marcantonio, 64



TIPS On Premise SSN: XXX-XX-XXXX
Issued: 2/12/2015 Expires: 2/1/2018
ID#: 3918274 D.O.B.: XXX/XX/XXXX

WILLIAM M FORBES
13 W End Ave
Middleboro, MA 02346-1920

For service visit us online at www.gettips.com
Michael Marcantonio, 64



TIPS On Premise SSN: XXX-XX-XXXX
Issued: 2/12/2015 Expires: 2/1/2018
ID#: 3918270 D.O.B.: XXX/XX/XXXX

WILLIAM H FULLER
13 W End Ave
Middleboro, MA 02346-1920.

For service visit us online at www.gettips.com
Michael Marcantonio, 64



TIPS On Premise SSN: XXX-XX-XXXX
Issued: 2/12/2015 Expires: 2/1/2018
ID#: 3918266 D.O.B.: XXX/XX/XXXX

JOHN L RHOADES
13 W End Ave
Middleboro, MA 02346-1920

For service visit us online at www.gettips.com
Michael Marcantonio, 64



TIPS On Premise SSN: XXX-XX-XXXX
Issued: 2/12/2015 Expires: 2/1/2018
ID#: 3918271 D.O.B.: XXX/XX/XXXX

CONNOR J REAGAN
13 W End Ave
Middleboro, MA 02346-1920

For service visit us online at www.gettips.com
Michael Marcantonio, 64

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

02/27/17

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER twinbrook Insurance Brokerage 10A Franklin Street raintree, MA 02184	CONTACT NAME: Courtney Wolinsky PHONE (A/C, No, Ext): 781-843-7000 FAX (A/C, No): 781-848-6100 E-MAIL ADDRESS: Cwolinsky@twinbrook.com <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 80%;">INSURER(S) AFFORDING COVERAGE</th> <th style="width: 20%;">NAIC #</th> </tr> <tr> <td>INSURER A: Travelers Insurance Co.</td> <td></td> </tr> <tr> <td>INSURER B: Safety Insurance Co.</td> <td></td> </tr> <tr> <td>INSURER C: Hartford Insurance</td> <td></td> </tr> <tr> <td>INSURER D:</td> <td></td> </tr> <tr> <td>INSURER E:</td> <td></td> </tr> <tr> <td>INSURER F:</td> <td></td> </tr> </table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A: Travelers Insurance Co.		INSURER B: Safety Insurance Co.		INSURER C: Hartford Insurance		INSURER D:		INSURER E:		INSURER F:	
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INSURER E:															
INSURER F:															
INSURED Classic Catering LLC Doreen Rafferty 12 Bubbling Brook Rd. Walpole, MA 02081															

COVERAGES		CERTIFICATE NUMBER:	REVISION NUMBER:																	
THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.																				
TYPE OF INSURANCE	ADDL SUBR INSD	WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS														
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WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	08WECLC8233	12/01/16	12/01/17	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td><input checked="" type="checkbox"/> PER STATUTE</td> <td><input type="checkbox"/> OTH-ER</td> <td></td> </tr> <tr><td>E.L. EACH ACCIDENT</td><td></td><td style="text-align: right;">\$ 500,000</td></tr> <tr><td>E.L. DISEASE - EA EMPLOYEE</td><td></td><td style="text-align: right;">\$ 500,000</td></tr> <tr><td>E.L. DISEASE - POLICY LIMIT</td><td></td><td style="text-align: right;">\$ 500,000</td></tr> </table>	<input checked="" type="checkbox"/> PER STATUTE	<input type="checkbox"/> OTH-ER		E.L. EACH ACCIDENT		\$ 500,000	E.L. DISEASE - EA EMPLOYEE		\$ 500,000	E.L. DISEASE - POLICY LIMIT		\$ 500,000		
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DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

The Town of Arlington is an Additional insured with respect to general liability for operations of contractor on property owned by Additional Insured as required by written contract.

CERTIFICATE HOLDER	CANCELLATION
Town of Arlington 670 R Mass ave Arlington, MA 02476	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE Joseph Rizzo/CAW



CERTIFICATE OF LIABILITY INSURANCE

BARTSE1

OP ID: TL

DATE (MM/DD/YYYY)

03/08/2017

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

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PRODUCER
J.K. Olivieri Ins. Agency
64 East Grove St.
Middleboro, MA 02346
Kenneth W. Olivieri

CONTACT NAME: Kenneth W. Olivieri

PHONE (A/C, No, Ext): 508-947-1818

FAX (A/C, No):

E-MAIL:

ADDRESS:

INSURER(S) AFFORDING COVERAGE

NAIC #

INSURER A: Commerce Insurance

INSURER B: Nautilus Insurance Co.

INSURER C: Scottsdale Insurance Co.

INSURER D: Technology Insurance Co.

INSURER E: General Star Indemnity

INSURER F:

INSURED The Bartending Service of N.E.
LLC
P.O. Box 425
Middleboro, MA 02346

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
B	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			NN663403	03/01/2017	03/01/2018	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 2,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
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C	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$			XLS0101584	03/01/2017	03/01/2018	EACH OCCURRENCE \$ 10,000,000 AGGREGATE \$ 10,000,000 \$
D	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N	N/A	TWC3615144	03/01/2017	03/01/2018	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
E	Liquor Liability	X		IMA698982D	03/01/2017	03/01/2018	Each C/C 1,000,000 Aggregate 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

For Anniversary Party on 4/15/2017 at the Whittemore Robbins House in Arlington from 8:00pm-11:00pm. Town of Arlington is additional insured with respect to liquor liability if this has been agreed to in writing in a contract or agreement by the insured and each party.

CERTIFICATE HOLDER

CANCELLATION

TOWNAR1

Town of Arlington
730 Massachusetts Avenue
Arlington, MA 02174

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE



Town of Arlington, Massachusetts

Request: Special (One Day) Beer & Wine License, 4/15/17 @ Arlington Center for the Arts Theater, 41 Foster Street for Blues Apocalypse 3.0

Summary:
Carol Band

ATTACHMENTS:

Type	File Name	Description
▢ Reference Material	ACA_Special_License_Application.pdf	Special Beer and Wine Application

OFFICE OF THE BOARD OF SELECTMEN



TOWN OF ARLINGTON
MASSACHUSETTS 02476-4908

SPECIAL ALCOHOL LICENSE APPLICATION

Name of Applicant: CAROL BAND / ARLINGTON CENTER FOR THE ARTS

Address, phone & e-mail contact information: 57 BARTLETT AVE. ARL.
617-930-2067 CAROL@CAROLBAND.COM

Name & address of Organization for which license is sought: ARL. CENTER FOR THE ARTS
41 FOSTER ST. ARLINGTON

Does this Organization hold nonprofit status under the IRS Code? ☒ Yes ☐ No

Name of Responsible Manager of Organization (if different from above):

LINDA SHOEMAKER - EX. DIR.

Address, phone & e-mail contact information: Linda@acarts.org
41 FOSTER ST. ARL 781-648-6220

Has the Applicant or Organization applied for and/or been granted a special liquor license this calendar year? YES If so, please give date(s) of Special Licenses and/or applications and title of event(s).

ACA GALA - 1/28/17 ARLINGTON TOWN HALL

Is this event an annual or regular event? If so, when was the last time this event was held and at what location?

ANNUAL EVENT LAST YEARS 4/9/16 AT ACA
24-Hour contact number for Responsible Manager on Event date: CAROL BAND 617 930 2067

Title of Event: BLUESAPOCALYPSE 3.0

Date/time of Event: APRIL 15 6-10PM

Location of Event: ACA THEATER, 41 FOSTER ST. ARLINGTON

Location/Event Coordinator: CAROL BAND

Method(s) of invitation/publicity for Event: E-MAIL, CALENDAR LISTINGS

Number of people expected to attend: 100 max

Expected admission/ticket prices: 25 - 30

Expected prices for food and beverages (alcoholic and non-alcoholic): HOT DOGS - \$3
BEVERAGES - \$5

Will persons under age 21 be on premises? NO

If "yes," please detail plan to prevent access of minors to alcoholic beverages. _____

Have you consulted with the Department of Police Services about your security plan for the Event?

AS PER PREVIOUS YEAR

OFFICE USE ONLY

For Police Chief, Operations Commander, or designee:

Your signature below indicates that you have discussed this event with the applicant, you have reviewed the applicant's security plan, and any necessary police details have been arranged for the Event.

Off. Corey P. Rabeau Date 3/24/17
Off. Corey P. Rabeau
Printed name/title

POLICE COMMENTS:

What types of alcoholic beverages do you plan to serve at the Event? (Note: By State Law, all-alcohol Special Licenses are available only to nonprofit organizations.)

BEER WINE

What types of food and non-alcoholic beverages do you plan to serve at the Event?

HOT DOGS POPCORN

Who will be responsible for serving alcoholic beverages at the Event? TIPS CERTIFIED

CAND BAND

What training or certification in responsible alcohol service does this person have? Please attach certificate or other proof of training for at least one person who will have responsibility for serving alcoholic beverages at each point of service and who will be present for the entire Event.

SEE ATTACHMENTS

Please list the names and dates of birth for all people who will be responsible for serving alcoholic beverages at the Event. Anyone serving alcoholic beverages must be at least 21 years of age.

CAROL BAND 7.17.56
HARRIS BAND 12.18.54

Name of the Massachusetts wholesaler who will deliver to site? (Full supplier list available on the ABCC website: www.mass.gov/abcc)

BOSTON BEER CO.
ATLAS WINE, MEDFORD

Date of Delivery: APR. 9 NOON
Alcohol Serving Time (s): 6-10 PM

How, when, and by whom will excess alcoholic beverages obtained for the Event be disposed of?

CAROL BAND WILL DONATE UNOPENED BOTTLES TO HCA
FOR BOARD MEETINGS. THERE WON'T BE MUCH

Date of Pick-Up: _____

Please provide details (insurance company, type of policy, name of insured, and policy limits) of any relevant insurance coverage for the Event, included but not limited to General Liability and Liquor Liability insurance. (You may be asked to supply a certificate or other proof of adequate insurance coverage.)

\$1,000,000 Commercial liability policy
Liberty Mutual # CB 8164253

Please submit this completed form and filing fee to the Board of Selectmen at least 21 days before your Event. Failure to provide complete information may delay the processing of your application.

I HAVE READ AND UNDERSTAND ALL RULES AND REGULATIONS:

Signature: CAROL BAND

Printed name: CAROL BAND

Printed title & Organization name: ARLINGTON CTR FOR THE ANTS

Email: carol@carolband.com

SECURITY PLAN – Arlington Center for the Arts

Event: Blues Concert

Date: Saturday, April 15, 2017

Time: 6-10pm

Attendance: 100-120

Last year's fundraiser was smooth and uneventful. We plan to recreate the same event this year and have even more staff and volunteers on hand. The event draws music lovers –most of whom are personal friends with somebody in one of the bands and most of whom are over age 40.

Parking: The lot adjacent to the ACA is available and more than adequate. We will have volunteers (two) manning the parking lot throughout the evening. Attendance will be staggered so there will not be traffic issues.

Crowd Control : We do not anticipate a large crowd. Most patrons will attend for a portion of the evening. However, we will have two staff members at the door taking tickets and two volunteers at the door of the theater checking tickets. In addition, there will be several staff members and volunteers in the Theater and lobby before after and during the event.

Alcohol: There will not be minors in attendance. We have a TIPS certified server – (Certification attached to application) and volunteers who are over 21 (over 50!) to serve beer and wine. All alcoholic beverages will be contained behind a bar and will be inaccessible to the patrons without first paying and showing ID.

Unruly Patrons: We do not expect any unruly patrons. If there are, we have designated a volunteer, who is also a trained psychologist, and an assistant to notify the event coordinator and we will determine whether the person should be escorted home or, if in an extreme case, the police need to be notified. We have a secure space for isolating potential disruptive individuals until an escort arrives.

Emergency Evacuation – There are two doors leading to the parking lot from the Theater which is on the ground level. In the event of an emergency, we will open the doors and alert patrons of the situation over the PA system.

TIPS Certification card copy
for All Center for the Arts event
approval Mon note. Thanks!
CARL

TIPS

eTIPS On Premise 2.0

SSN: XXX-XX-XXXX

Issued: 06/05/2014

Expires: 06/05/2017

ID#: 3742106

D.O.B.: XX/XX/XXXX

Carol Band

57 Bartlett Ave

Arlington, MA 02476-6452 USA

Print

Close Window

Certificate of Completion

This Certificate of Completion of
eTIPS On Premise 2.0

For coursework completed on June 5, 2014
provided by Health Communications, Inc.
is hereby granted to:

Carol Band

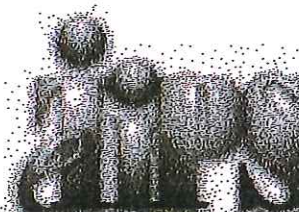
Certification to be sent to:

**57 Bartlett Ave
Arlington MA 02476-6452 USA**



HEALTH COMMUNICATIONS, INC.

This document is not proof of TIPS certification. It signifies only that you have completed the course. Valid certification documents will be forwarded to you.




**ID# 3742106
Expires 6/5/17**



Town of Arlington, Massachusetts

Appointments of New Election Workers: (1) Devynn Diggins, 208 Renfrew Street, U, Pct. 14; (2) Dorothea Jacobsen, 54 Medford Street, R, Pct. 7; (3) Lynne Sullivan, 23 Coleman Road, U, Pct. 14

ATTACHMENTS:

Type	File Name	Description
 Reference Material	Master_Records.pdf	Election Worker Master Records

ELECTION WORKER'S MASTER RECORD

Date: 3/20/17

Check One: ✓ New Employee
 _____ Change to Existing Employee

Vendor #	_____	Position	INSPECTOR
Name:	DEVYUN Diggins	Democrat	_____
Address:	208 REUFREW STREET	Republican	_____
	ARLINGTON	Unenrolled	✓
Zip Code	02476	Precinct	14
Alpha/ Last Name	_____	Phone #	_____

Position Codes:

10 – Warden	60 – Deputy Clerk
20 – Deputy Warden	70 – Teller
30 – Inspector	80 – Substitute
40 – Deputy Inspector	90 – Custodian
50 – Clerk	

ELECTION WORKER'S MASTER RECORD

Date: 3/20/17

Check One: ✓ New Employee
Change to Existing Employee

Vendor #	_____	Position	<u>INSPECTOR</u>
Name:	<u>DOROTHEA JACOBSEN</u>	Democrat	_____
Address:	<u>54 MEDFORD ST.</u>	Republican	<u>✓</u>
	<u>APT. 616</u>	Unenrolled	_____
Zip Code	<u>02474</u>	Precinct	<u>7</u>
Alpha/ Last Name	_____	Phone #	_____

Position Codes:

10 – Warden	60 – Deputy Clerk
20 – Deputy Warden	70 – Teller
30 – Inspector	80 – Substitute
40 – Deputy Inspector	90 – Custodian
50 – Clerk	

ELECTION WORKER'S MASTER RECORD

Date: 3/20/17

Check One: ✓ New Employee
 Change to Existing Employee

Vendor #	_____	Position	<u>INSPECTOR</u>
Name:	<u>Lynne Sullivan</u>	Democrat	_____
Address:	<u>23 Coleman Road</u>	Republican	_____
	<u>Arlington</u>	Unenrolled	<u>✓</u>
Zip Code	<u>08476</u>	Precinct	<u>14</u>
Alpha/ Last Name	_____	Phone #	_____

Position Codes:	10 – Warden	60 – Deputy Clerk
	20 – Deputy Warden	70 – Teller
	30 – Inspector	80 – Substitute
	40 – Deputy Inspector	90 – Custodian
	50 – Clerk	



Town of Arlington, Massachusetts

Board of Registrar of Voters

Summary:

William Logan (term to expire 3/31/2018)

ATTACHMENTS:

Type	File Name	Description
▢ Reference Material	RegistrarNom_(1).pdf	Arlington Democratic Town Committee Nomination
▢ Reference Material	Logan_appt.doc	W. Logan meeting notice

March 12, 2017

Board of Selectmen
Town Hall
730 Massachusetts Ave.
Arlington, MA 02476

To the Board:

The Arlington Democratic Town Committee nominates William Logan of 5 Mary Street to the current vacancy on the Board of Registrars.

Bill Logan is an attorney and a longtime resident of Arlington who's been working on elections since he was 15 years old. He's been an Arlington Democratic Town Committee member for five years. He believes in equal access for all voters, has an interest in election law and regulations, and will serve fairly and without bias.

We hope that the Board of Selectmen will name Bill Logan to this position. He will fulfill its duties honorably and faithfully.

Thank you very much.

Aimee Coolidge, Chair
Camilla Haase, Secretary
Arlington Democratic Town Committee

OFFICE OF THE BOARD OF SELECTMEN

DIANE M. MAHON, CHAIR
DANIEL J. DUNN, VICE CHAIR
KEVIN F. GREELEY
STEVEN M. BYRNE
JOSEPH A. CURRO, JR.



730 MASSACHUSETTS AVENUE
TELEPHONE
781-316-3020
781-316-3029 FAX

TOWN OF ARLINGTON
MASSACHUSETTS 02476-4908

March 15, 2017

William Logan
5 Mary Street
Arlington, MA 02474

Re: Appointment: Board of Registrar of Voters (term to expire 3/31/2018)

Dear Mr. Logan:

As a matter of the standard appointment procedure, the Board of Selectmen requests that you attend a meeting of the Board of Selectmen at Town Hall, Selectmen's Chambers, 2nd Floor, 730 Massachusetts Avenue, on Monday, March 27th at 7:15 p.m.

It is a requirement of the Board of Selectmen that you be present at this meeting. Your presence will give the Board an opportunity to meet and discuss matters with you about the area of activity in which you will be involved.

Please contact this office to confirm the date and time with either Mary Ann or Fran at the above number.

Thank you.

Very truly yours,
BOARD OF SELECTMEN

Marie A. Krepelka
Board Administrator

MAK:fr



Town of Arlington, Massachusetts

Zoning Board of Appeals, Associate Member (term to expire 10/1/2019)

Summary:

Diane M. Mahon, Chair

ATTACHMENTS:

Type	File Name	Description
▢ Reference Material	O_Rourke_appt.pdf	S. O'Rourke letter of interest, resume

181 Palmer Street
Arlington, MA 02474
March 15, 2017

BY EMAIL TO mkrepelka@town.arlington.ma.us

Town of Arlington
Board of Selectmen
730 Massachusetts Avenue
Arlington, MA 02476

Attention: Marie Krepelka, Administrator

Dear Ms. Krepelka:

Please accept this letter and enclosed resume in application for the associate member of the Zoning Board of Appeals ("ZBA") position.

I have lived at 181 Palmer Street for 17 years with my wife, Kathy O'Rourke. We have two children who attended Thompson Elementary School. We participated in the Thompson School rebuild, and Kathy served as a Town Meeting Member for several years. I am applying for the position on the ZBA because I feel it is my turn to "give back" to Arlington and I believe I have the background and experience to assist the ZBA.

I am a litigation attorney and have been practicing law for nearly 25 years. I have represented individuals and businesses in construction and real estate related matters and am familiar with building permitting and appeals, particularly in the Boston area. Although I have not represented a client in a zoning appeal or c. 40B application, I am familiar with the Zoning Act (G.L. c. 40A), and the Comprehensive Permit Act (G.L. c. 40B, §§20-23).

I have reviewed the Arlington Zoning By-Laws and the ZBA's Comprehensive Permit Regulations. My experience will allow me to be comfortable participating in the ZBA's hearings and meetings, questioning applicants and witnesses at the hearings, and applying the facts and circumstances of each matter to the zoning laws and regulations.


While I hold a firm belief that Arlington's zoning regulations should be followed and enforced, I also appreciate the fact that compromise is possible in resolving many matters. I believe that applicants appearing before the ZBA should feel that they are listened to and treated fairly, even if they do not obtain the result they want. I also believe it is important to work collaboratively with those who serve Arlington, including the other members of the ZBA, the Board of Selectmen, the Town Manager, Inspectional Services, Town Counsel, and members of the

relevant local boards, in order to advance the purpose of the zoning by-laws and the common goal of keeping Arlington a great place to live.

Thank you for your time and consideration and I look forward to hearing from you.

If you have any questions or require any further information, please do not hesitate to contact me either by telephone at (617) 337-3191 or e-mail at so@orourkehawk.com.

Very truly yours,

A handwritten signature in black ink that reads "Shawn P. O'Rourke". The signature is written in a cursive, flowing style.

Shawn P. O'Rourke

Enclosure

SHAWN P. O'ROURKE
181 Palmer Street
Arlington, Massachusetts 02474
Mobile: (617) 699-4637
Email: so@orourkehawk.com

EXPERIENCE: OROURKE & HAWK, LLP, Charlestown, Massachusetts

Founding Partner

Litigation practice representing individuals and businesses in Superior, District, Probate, Land, and Housing Courts as well as in mediation and arbitration. Areas of practice include construction litigation, real estate litigation, personal injury litigation, professional malpractice, probate litigation, and summary process.
May 2012 – Present

BARRON & STADFELD, P.C., Boston, Massachusetts

Managing Shareholder/ Shareholder

Manage operation of medium sized firm and its lawyers and staff totaling between 38-50 people; oversee firm finances, cash flow management, business development, client retention, technology, and attorney and employee recruitment and training; chair Executive, Management, and Business Development Committees, and Shareholder meetings; coordinate and maximize efforts of the firm's various departments and committees; work closely with outside consultants, including technology, accounting, insurance and retirement advisors; handle ethical issues. Continue full litigation practice.

Managing Shareholder: September 2003 – February 2012

Shareholder: January 2000 – April 2012

Litigation Associate

Litigation and trial lawyer in Superior, District, Probate, Land, and Housing Courts. Responsible for all phases of litigation from commencement to conclusion as well as mediating and arbitrating cases. Areas of practice include business litigation, real estate litigation, professional malpractice, probate litigation, personal injury litigation, summary process, and business purchases and licensing. Admitted to practice in Massachusetts (1992) and New Hampshire (1994).
September 1993 – December 1999

SUPREME JUDICIAL COURT, Boston, Massachusetts

Law Clerk to the Honorable Justice Neil L. Lynch

Research and draft memoranda; attend full bench and single justice sessions.
September 1992 – August 1993

MASSACHUSETTS STATE SENATE, Boston, Massachusetts

Senate Page

Attend legislative sessions and assist in operation of the Senate.
September 1989 – August 1992

BARNSTABLE COUNTY DISTRICT ATTORNEY, Barnstable, Massachusetts

Summer Intern

Prosecute cases in District Court; handle criminal arraignments, bail reviews, mental competency hearings, and prepare legal memoranda for trial.

Summer 1991

EDUCATION: SUFFOLK UNIVERSITY LAW SCHOOL, Boston, Massachusetts

J.D., cum laude, 1992,

Honors: Dean's List

1991 AmJur Award in Legal Writing & Drafting

1990 AmJur Award in Civil Procedure

Best Appellate Brief, 1990 Moot Court Competition

STONEHILL COLLEGE, North Easton, Massachusetts

B.A., cum laude, May 1988

Major: International Studies. Minor: Economics

Concentration: Spanish

Honors: Dean's List

ST. LOUIS UNIVERSITY, Madrid, Spain

Junior Year Abroad, 1987

Year of intense study of Spanish language, history, and culture

BOSTON LATIN HIGH SCHOOL, Boston, Massachusetts

High School Diploma, May 1984

ACTIVITIES: SMALLER BUSINESS ASSOCIATION OF NEW ENGLAND (SBANE)

Board of Directors, 2006-2009

Chair SBANE Government Affairs Committee, 2006 – 2009

ST. AGNES PARISH FINANCE COUNCIL (ARLINGTON)

May, 2011 – Present

VOLUNTEER CONCILIATOR MIDDLESEX SUPERIOR COURT (LOWELL)

2005 – 2012

Massachusetts Bar Association, 1993 – Present

New Hampshire Bar Association, 1994 – Present

Supreme Judicial Court Law Clerk's Society

LANGUAGES: Fluent in Spanish



Town of Arlington, Massachusetts

Request: Sidewalk Cafe Permit

Summary:

Caffe Nero, 311-321 Broadway, Bruce Kidder (Business Representative)

ATTACHMENTS:

Type	File Name	Description
<input type="checkbox"/> Reference Material	Caffe_Nero_SideWalk_Cafe_Permit_3.17_.pdf	application packet & reports

SIDEWALK CAFÉ APPLICATION REPORT

Type of License: Sidewalk Café Permit

Name of Applicant: Caffe Nero Bruce Kidder (Business Representative)

Address: 311-321 Broadway

The following Departments have **no objections** but have made comments or conditions regarding the issuance of said license: (see attached)

- Board of Health x
- Building x
- Planning x
- ADA Compliance x

PLEASE NOTE:

ALL APPROVALS WILL BE SUBJECT TO CONDITIONS SET FORTH
(SUCH AS DEPARTMENT CONDITIONS, CERTIFICATE OF INSURANCE ETC.)



Town of Arlington
Department of Health and Human Services
Office of the Board of Health

27 Maple Street
Arlington, MA 02476

Tel: (781) 316-3170
Fax: (781) 316-3175

MEMO

To: Board of Selectmen
From: Natasha Waden, Health Compliance Officer
Date: March 22, 2017
RE: Board of Health Comments for Selectmen's Meeting on March 27, 2017:

Please accept the following as comments from the Office of the Board of Health:

Café Nero
Outdoor Furniture

- The applicant must ensure that smoking and the use of e-cigarettes is prohibited in the outdoor seating area by conspicuously posting a notice or sign which states "No Smoking" or thereby using a sign with the international "No Smoking" symbol in the outdoor area.
- The owner or designated Person in Charge is responsible for maintaining the outdoor seating area Smoke Free.
- Any person in charge of a public place or workplace who fails to comply with the regulations is subject to a fine of (a) \$100 for the first violation, (b) \$200 for a second violation occurring within two years of the date of the first offense; and (c) \$300 for a third or subsequent violation occurring within two years of the second violation. Each calendar day on which a violation occurs shall be considered a separate offense.
- The Establishment is responsible for maintaining the outdoor seating in a clean and sanitary manner, free from garbage and trash or other refuse that would constitute a public health nuisance.

From: "Ken McConnell" <KMcConnell@town.arlington.ma.us>
To: "MaryAnn Sullivan" <MSullivan@town.arlington.ma.us>
Date: 03/21/2017 01:18 PM
Subject: Re: Sidewalk Cafe Inspection Report for Caffè Nero

Hello Maryann, We have no issues with the seating Ken

-----Original Message-----

From: "MaryAnn Sullivan" <MSullivan@town.arlington.ma.us>
To: "Natasha Waden" <NWaden@town.arlington.ma.us>, "Ken McConnell" <KMcConnell@town.arlington.ma.us>, "Jack Jones" <JJones@town.arlington.ma.us>
Date: Mon, 20 Mar 2017 16:26:25 -0400
Subject: Sidewalk Cafe Inspection Report for Caffè Nero

Hello All-

Caffè Nero is scheduled for Monday night's meeting, 3/27. If there is a problem with getting an inspection report to me by this Wednesday - please let me know. Thanks, Mary Ann

Mary Ann Sullivan
Town of Arlington
Selectmen's Office
(781) 316-3024
(781) 316-3029 FAX

Attachments:

File: [ATT00002.txt](#) Size: 1k Content Type: text/plain
File: [ATT00003.html](#) (Shown Inline) Size: 3k Content Type: text/html

BOARD OF SELECTMEN
RENEWAL - INSPECTION REPORT

REPORT IS REQUIRED FROM EACH DEPARTMENT BY MARCH 27, 2017

Location: 311-321 Broadway
Applicant's Name: Bruce Kidder
D/B/A: Caffè Nero
Telephone: 617-245-8902
Department: Sent Interoffice Mail & E-mail

Date: 3-20-17

MEETING DATE: APRIL 3, 2017

Departments:

Re: Sidewalk Café Permit

Police

Fire

Board of Health

Building

Planning – Ali Carter, Economic Development Coordinator

Comments by each Division or Department:

The proposed outdoor seating for this business consists of 13 tables and 26 seats in a cordoned space separated from the business's façade by a pedestrian travel corridor that measures 12 feet. The outdoor seating area is sufficiently buffered by planters and flexible cordons.

The Department of Planning and Community Development has no objection to the issuance of a sidewalk café permit to the Applicant.

Any changes in signage, including signs in the window, and changes to the facade of the building are subject to review by this department. The applicant is reminded that all signs, including re-lettering of the existing signs require a permit issued by the Building Department. Other provisions of the Zoning Bylaw may apply as determined by the Building Inspector.

Applicant Section:

I have received the above report and acknowledge said inspection. I fully understand that no work is to commence at the premises of the proposed location of which is the subject matter of this inspection report until the license is approved by the Board of Selectmen; furthermore, any work done is done at the applicant's risk.

Applicant's Name: _____

Date: _____

COMMISSION ON DISABILITY, TOWN OF ARLINGTON

20 ACADEMY STREET, SUITE 203, ARLINGTON, MASSACHUSETTS 02476-6436 (781) 316-3431



MEMP TO: Board of Selectmen
Adam Chadelaine, Town Manager

FROM: Jack Jones, Director of Housing & Disability Programs

DATE: March 23, 2017

RE: Outside Furniture License

It appears from the attached diagram and a completed survey of the sidewalk in front of **Caffe Nero, 311-321 Broadway** that all conditions pertaining to accessibility of sidewalk dining are in compliance with federal and state regulations.

In order to be in compliance with regards to sidewalk dining the absolute minimum clear path of travel along the sidewalk must be at least 36" excluding curb stones and at least 36" between tables according to the Massachusetts Architectural Access Board and the Americans with Disabilities Act Architectural Guidelines. Possible obstructions on the sidewalk that could affect compliance that will need to be watched are tables, chairs, other furniture, trees, trash receptacles, fire hydrants, planters, sandwich boards, etc. In addition a portion (5%), but not less than one, of available seating must be wheelchair accessible. The Disability Commission recommends to the Board of Selectmen that a compliance monitoring process be developed in addition to restaurants providing training for all their restaurant staff to ensure that accessibility is maintained after the permitting process.

Sidewalk Café Permit Application - Town of Arlington, MA

This is an application to the Board of Selectmen of the Town of Arlington Massachusetts, for a permit to place and maintain a Sidewalk Café (an outside seating area for licensed restaurants) on the public right of way in Arlington, Massachusetts described below:

(PLEASE TYPE OR PRINT)

Business Name:

CAFFE NERO

Length of Storefront (ft):

33' 9"

Business Address/Location:

311-321 BROADWAY

Width of Sidewalk along Storefront (ft); *1:

55'

Phone Number/Email:

(617) 245-8902

Length of Proposed Sidewalk Café (ft):

33'

Business Representative's Name:

BRUCE KIDDER

Width of Proposed Sidewalk Café (ft); *2:

20'

Name & Address of Building Owner:

TRITON ARLINGTON LLC / 397 MAIN ST, WOBURN, MA 01801

*1: Measure from front Building Wall to inside of sidewalk granite curb edge.

*2: Measure from front Building Wall to outside of Sidewalk Café surrounding border fencing/barrier.

Application Submittal Requirements:

- 1.) Fee: An annual permit fee of **\$50.00** payable to the Town of Arlington filed with the Selectmen's Office. The Board may prorate its fee for applicants in their initial term to reflect the number of months the permit sought will be held.
- 2.) Site Plan: Furnish a **Site Plan** (scale diagram) showing the location of tables, chairs, umbrellas, trash receptacles, heaters, barricades, as well as a **picture or photograph of the proposed furniture** in compliance with the following requirements:
 - No person or entity shall cause to be placed within the public ways any furniture without applying for a permit and receiving approval from the Board of Selectmen of the Town. This permit shall be considered separate and distinct from others issued by the Town, including those for common victuallers.
 - Ordinarily, the location of the sidewalk café must be directly in front of the business operating the café, and may not extend beyond the side property lines. It shall be sited as close to the building façade as practicable and in no event to exceed twelve (12) feet from the food service door of the establishment.
 - Under limited circumstances, sidewalk café areas may be approved adjacent to a storefront, grouped at a distance from the storefronts, or allowed in both positions if a scaled plan showing dimensions clearly establishes:

- a) The requested location(s) create the least obstruction for pedestrian access to storefronts, crosswalks and pedestrian circulation, and/or
 - b) the location does not extend substantially beyond the side edges of the business (allowing for up to 10 feet of latitude where landscaping, public facilities, utility poles or adjacent seating areas obstruct the front of the business premises), and/or
 - c) no more than 256 square feet of the public way would be cordoned off for establishments serving liquor unless the Board determines from the scaled site plan (with dimensions shown) and photos that additional square footage for outdoor seating would not leave less than 36" to the nearest barrier, would not impede circulation, and would not preclude other allowed desirable uses for the public space, and
 - d) in every case, the additional seating does not violate zoning, building, or other code as determined by the Director of Inspectional Services.
- Further, Tables, chairs, benches, food equipment shall be located so that they do not impede, endanger or interfere with pedestrian traffic, with a minimum width of three (3) feet and a recommended width of four (4) feet of unobstructed passage for pedestrian traffic.
 - In addition, no sidewalk café furniture shall be affixed, erected, installed, placed, used or maintained **within five (5) feet** of any marked or unmarked crosswalk or handicapped ramp; or within five (5) feet of any fire hydrant, fire lane, call box, or bus stop.
 - Unlicensed furniture within the public ways of the Town will be subject to removal with the cost thereof to be borne entirely by the owner. In addition, fines may be imposed by the Board of Selectmen not to exceed \$100 for removal, storage or destruction.
 - No fixtures or devices on which food or beverages are sold or consumed shall be attached to the sidewalk or other public area. The property owner is responsible for the restoration of the sidewalk or public-right-of-way if any damage is caused by the sidewalk café. Physical barriers bordering/framing a sidewalk café may not exceed four (4) feet in height.
 - Lighting for sidewalk cafes is subject to approval during the permitting process. Tabletop lighting may include candles and battery-operated fixtures.
 - Well-designed physical barricades surrounding/framing sidewalk cafés are **strongly encouraged**.

3.) **Insurance:** The applicant restaurant-owner shall furnish a **certificate of insurance** providing commercial insurance coverage for bodily injury, death, disability, and property damage liability in the following amounts:

- **At least \$1,000,000 per occurrence and \$3,000,000 annual aggregate for any restaurant serving alcohol as part of its use of sidewalk café space; or**

- At least \$300,000 per occurrence and \$900,000 annual aggregate for restaurants which are either not licensed to serve alcohol or restaurants which attest that they will not serve alcohol as part of their use of sidewalk café space.

The Town of Arlington shall be named as an additional insured on a primary, noncontributory basis for any liability arising directly or indirectly from the operation of a sidewalk café. In the event the insurance is cancelled, the permit holder has 24 hours to reinstate the insurance or the permit shall be revoked. The permit holder shall immediately inform the Selectmen's Office if insurance under this provision is revoked and shall not operate the sidewalk café until insurance is restated in accordance with this requirement. An insurance certificate naming the Town as an additional insured must be provided to the Office of the Board of Selectmen before any Sidewalk Café/Outdoor Seating Area will be issued.

4.) Indemnification and Acknowledgement of Rights: The applicant restaurant-owner shall also furnish a signed agreement to indemnify the Town of Arlington for its use of public property as a sidewalk café/outdoor seating from any and all claims that may be brought against the Town in connection with such use. Such a signed agreement shall also acknowledge the Town's rights with respect to its property and the limitations of the permit (attached hereto).

5.) Compliance Requirements: By signing this application, the Applicant agrees to accept and comply with the following requirements:

- All services provided to sidewalk café customer and customer activity must occur within the designated sidewalk café area.
- Permit holder is responsible for proper supervision of the sidewalk café in order to ensure the requirements of this section are met.
- Permit holders must ensure that the requirements for operation are met. These include:
 - Patrons must wear shoes and shirts at all times.
 - All sidewalk cafes must maintain at least one opening for ingress and egress at all times. All sidewalk cafes shall abide by all requirements of the currently adopted International Building Code and the American's with Disabilities Act.
 - To the extent applicable, sidewalk cafes must adhere to all regulations pertaining to food and beverage enforced by the Board of Health and Board of Selectmen.
 - All areas within and surrounding a sidewalk café must be maintained in a clean, neat, and sanitary condition.
 - All permit holders shall be required to abide by all federal, state, and local laws.
 - Outdoor alcohol service (and food service when alcohol is served outdoors) shall conclude at or before 10:00 p.m. Sunday through Thursday, and at or before 11:00 p.m. Friday and Saturday.


6.) Other Regulations: By receiving a sidewalk café/outdoor seating permit, restaurants are not exempted from other federal, state, and local laws and regulations. Among other regulations, permit holders must comply with local zoning and state building code requirements and Board of Selectmen alcohol service regulations. Applicants are strongly advised to ensure their plans comply with zoning and state building requirements by contacting Inspectional Services.

7.) Revocation: The sidewalk café permit may be revoked for failure to maintain the standards required for the initial permit. A notice of intent to revoke a sidewalk café permit shall be given in writing 10-days prior to actual revocation and shall specify the area or areas of failure to meet requirements and maintain conditions the Town may have imposed. If, during that period, proof of compliance is made to the satisfaction of designated Town Inspectors by the holder of the permit, the permit shall be continued in force.

- Applicant certifies that all current property taxes due on its licensed premises are paid if property is owned by the Applicant.
- Applicant agrees to permit the Town to periodically verify the accuracy of information contained in this Application and agrees to provide information requested to verify the accuracy of the information and the Certifications contained in this Application.

8.) Term & Non-Transferability: Each Sidewalk Café Permit is valid for one calendar year from the January 1st through December 31st and is non-transferable.

I have read and fully understand the above rules and regulations applying to the approval of this permit.

Dated MARCH 2, 2017 By: 
(Signature)

(Print Name & Address) BRUCE KIDDER - 320 CONGRESS ST. 4th FLOOR
BOSTON, MA 02210

NOTE:

No sales or consumption of any alcoholic beverages can be allowed by the license holder in the patio area unless and until the changes to their location are approved by both the LLA, the ABCC and a new amended license (with the approved changes added to the description of premises) is issued.

Go to: www.mass.gov/abcc website for the ABCC application - Alteration of Premises and return with this application.

OFFICE OF THE BOARD OF SELECTMEN



TOWN OF ARLINGTON

SIDEWALK CAFÉ INDEMNIFICATION AGREEMENT & ACKNOWLEDGEMENT

On behalf of the business applying for a Sidewalk Café (Outdoor Seating) license from the Town of Arlington Board of Selectmen, I, as a duly authorized agent of CAFFE NERO AMERICAS, INC., a licensed restaurant operating within the Town of Arlington, acknowledge that I seek permission to use a portion of the public sidewalk in front of (or where permitted, adjacent to) the business premises to operate a sidewalk café/outdoor seating area. I understand that a Sidewalk Café permit does not give my business any right, title, or interest in any part of the sidewalk space approved for use.

Furthermore, I, as a duly authorized agent of CAFFE NERO AMERICAS, INC., agree to hold harmless the Town of Arlington, its officers and employees, for any loss or damage arising from the use of the public sidewalk or the discontinuance of use resulting from an order, demand, or notice of any governmental agency with jurisdiction.

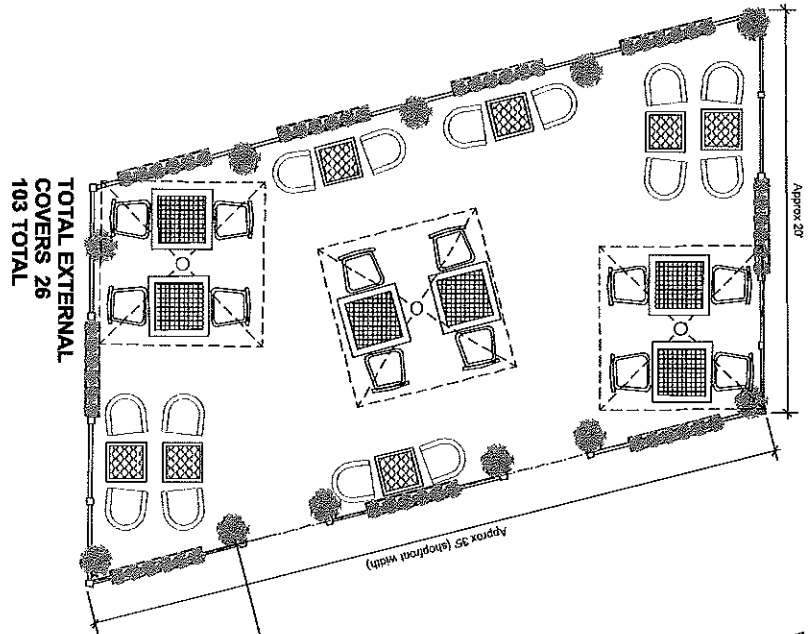
I understand that Board of Selectmen and/or any government agency with jurisdiction may revoke my permit to use public sidewalk space at any time for any reason whatsoever. The permit can be revoked for failure to comply with any terms and conditions of the permit or any agreements between my business and the Town of Arlington or for violation of any of the rules and regulations enforced by Board of Selectmen, the Department of Inspectional Services, the Police Department, or the Board of Health. I understand there will be no refund of any fees or compensation paid to the Town of Arlington.

I further agree to promptly remove any property placed on the sidewalk space or reimburse the Town of Arlington for the cost of moving my business' property upon receipt of any written notice, demand, or order to vacate the sidewalk space from a governmental agency with jurisdiction.

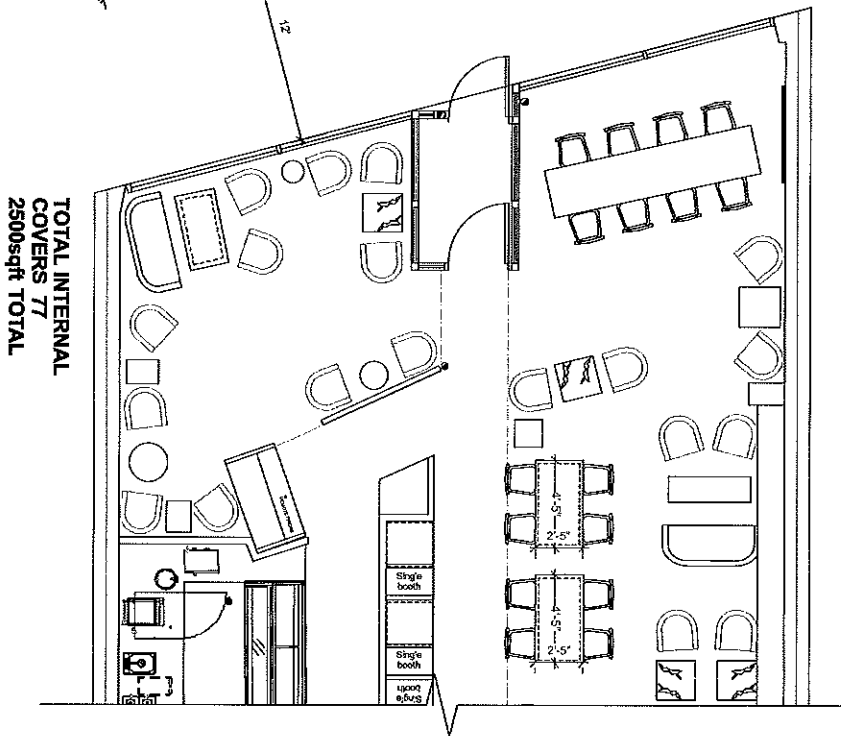
I certify that I have read and agree with the terms and conditions outlined both here and within the Sidewalk Café Permit Application.


Signature

MARCH 2 2017
Date



**TOTAL EXTERNAL
COVERS 26
103 TOTAL**

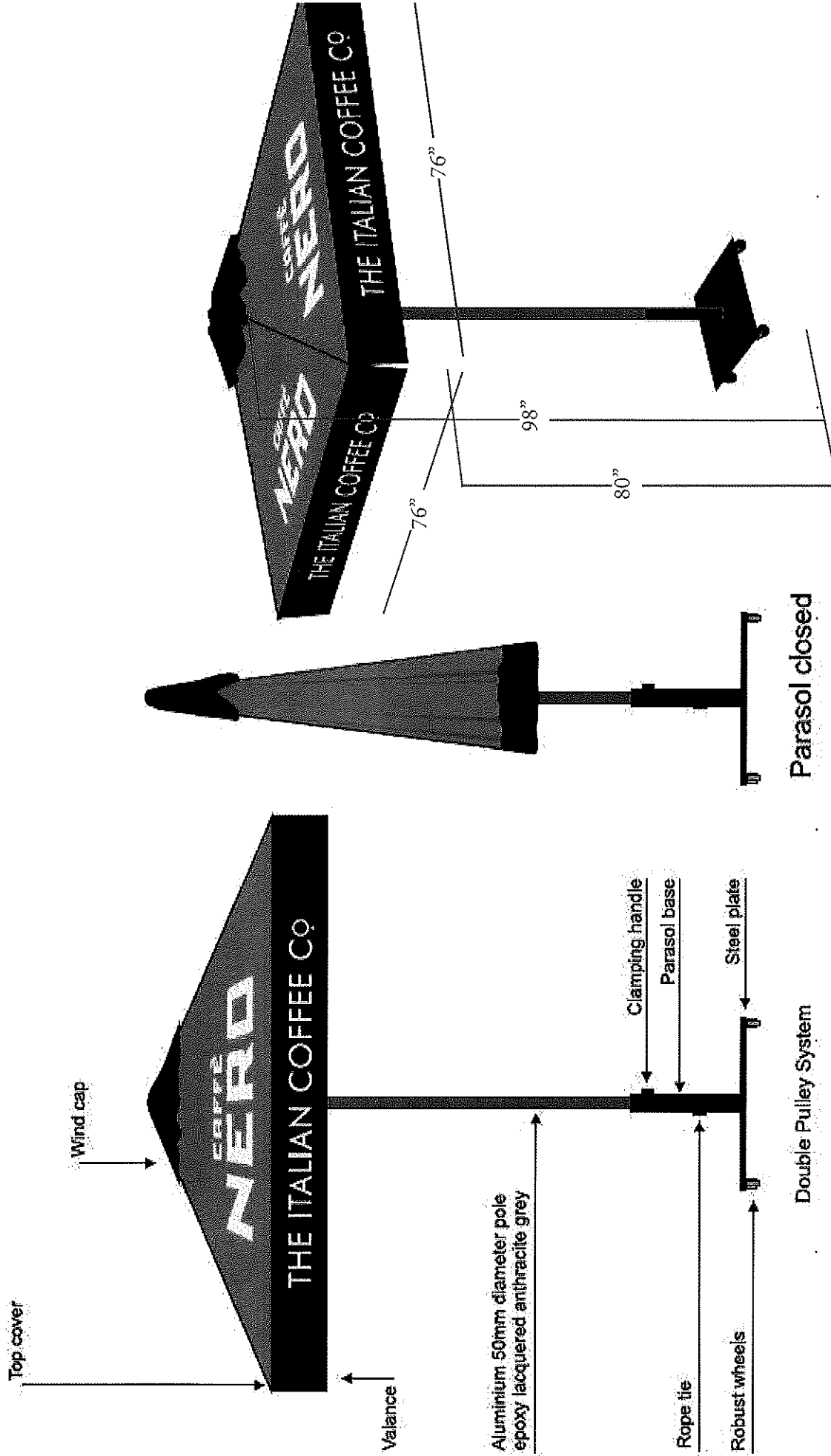


**TOTAL INTERNAL
COVERS 77
2500sqft TOTAL**

[illegible]



dington | Signage in context of adjacent properties

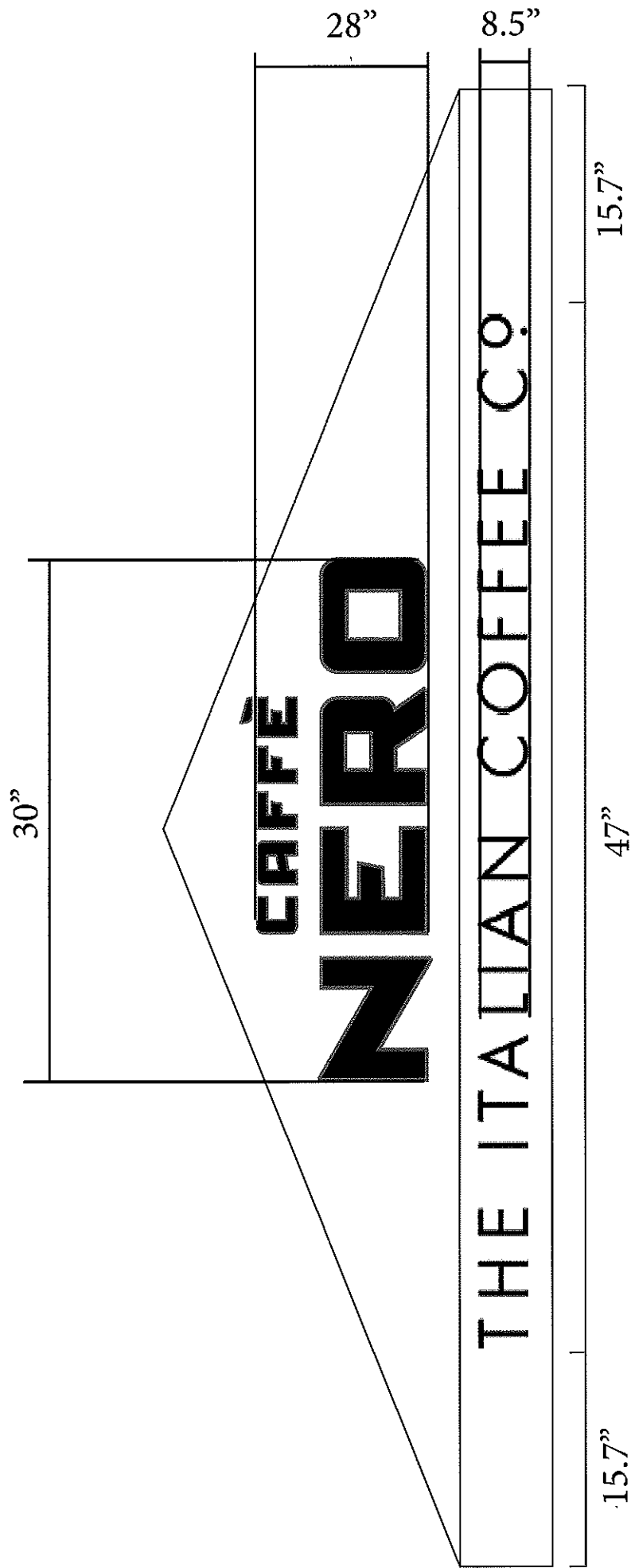


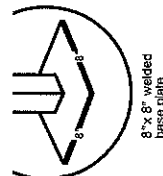
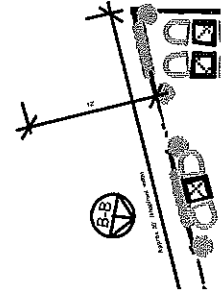
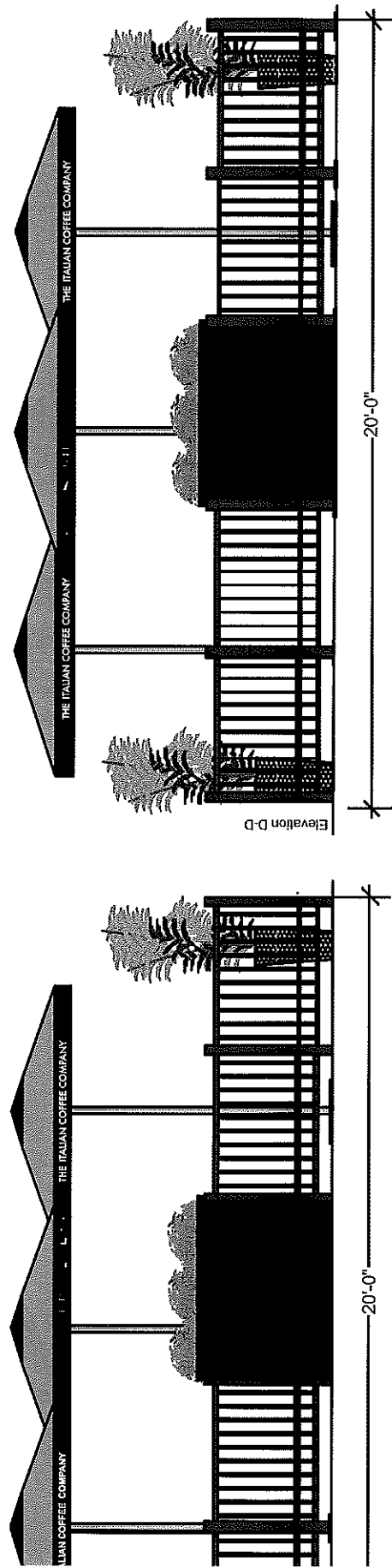
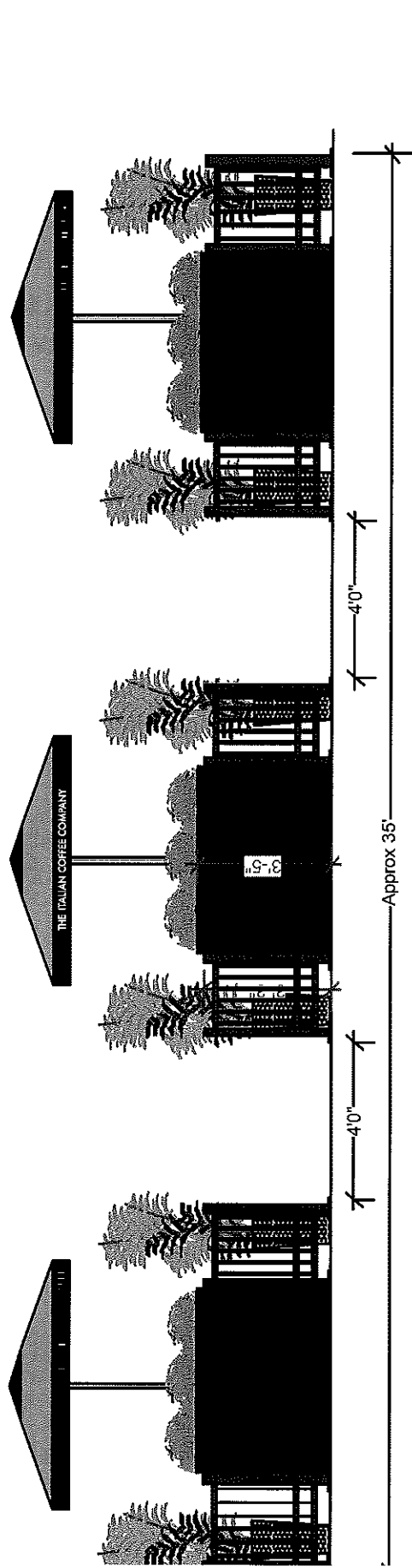
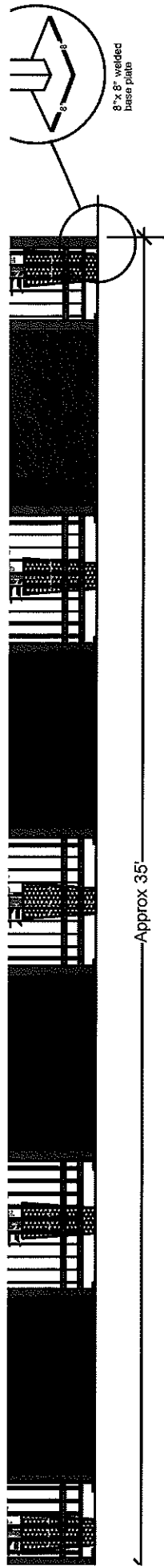
Fabric Option 1

Composition : 100% solution dyed acrylic
 Finish : Clearguard special dirt-resistance and awning water repellent treatment.
 Weight : 295 g/m²

Fabric Option 2

Composition : Polyester
 Finish : Waterproof and anti-mould treated
 Weight : 200 g/m²





Elevation D-D



TOWN OF ARLINGTON

MASSACHUSETTS 02476

781 - 316 - 3090

DEPARTMENT OF PLANNING and COMMUNITY DEVELOPMENT

DECISION OF THE BOARD

EDR DOCKET # 3517

321 Broadway

Caffe Nero (tenant) and Patricia Simboli (owner)

October 17, 2016

This Decision applies to the Special Permit application filed by Caffe Nero, the tenant, and Patricia Simboli, the owner of 321 Broadway. A restaurant/café with more than 2000 square feet is allowed by Special Permit in the B3 Village Business district according to Section 5.04, Table of Use Regulations, of the Arlington Zoning Bylaw. Additionally, because of its location on Broadway, a special permit for Environmental Design Review under Section 11.06 is also required.

A public hearing was held on October 17, 2016.

Materials submitted for consideration of this application:

Application, 321 Broadway

EDR Report from Jennifer Raitt, Secretary Ex Officio to Arlington Redevelopment Board, dated October 17, 2016.

Caffe Nero Impact statement.

Sign application and drawings, including Proposed Signage Detail, Signage in Context of Adjacent Properties, and Proposed Front Signage.

Plans, including Proposed Patio Elevations, Proposed Internal Elevations, Proposed Patio Layout, and Patio Layout showing bike rack location, Proposed 1st floor layout, and Overall Space.

In order to grant this Special Permit, the following criteria must be met.

Section 10.11a-1 The uses requested are listed in the Table of Use Regulations as a Special Permit in the district for which application is made or is so designated elsewhere in this Bylaw.

The proposed use, a restaurant over 2,000 sf (Use 6.12b) is allowed in this district by Special Permit. The entire space is 5,327 square feet. Caffe Nero will be using approximately 2,500 square feet, with a kitchen, 77 indoor dining room seats, and storage area. The Board finds that the proposal meets this standard.

Section 10.11a-2 The requested use is essential or desirable to the public convenience or welfare.

The proposed use will fill a vacant storefront in Arlington Center. It will provide an attractive place for customers to eat, drink and congregate. It is desirable to the public to fill this vacant space with an attractive use. The Board finds this standard is met.

Section 10.11a-3 The requested use will not create undue traffic congestion, or unduly impair pedestrian safety.

The location is in Broadway Plaza, which is a pedestrian-oriented area. Many customers are likely to come on foot, and may be doing other shopping in the Center in the same visit. The applicant is proposing 26 seasonal patio seats, which requires a permit from the Board of Selectmen, which will consider pedestrian safety. The plans show 12' clearance between the front door and the patio seating for pedestrian accommodation. Parking for the use is accommodated in the Russell Common parking lot and on the street. The Board finds this standard is met.

Section 10.11a-4 The requested use will not overload any public water, drainage or sewer system or any other municipal system to such an extent that the requested use or any developed use in the immediate area or in any other area of the Town will be unduly subjected to hazards affecting health, safety, or the general welfare.

The proposed use is located in an area with adequate water and sewer service. The Board finds this standard is met.

Section 10.11a-5 Any special regulations for the use, set forth in Article 11 are fulfilled.

EDR-1 Preservation of Landscape: The landscape shall be preserved in its natural state insofar as practicable, by minimizing tree and soil removal and any grade changes shall be in keeping with the general appearance of neighboring developed areas.

There is one tree in front of the property, which will be retained. Plans for the patio seating include extensive use of planter boxes to define the area. Landscaping and greenery will be increased as a result of this proposal. The Board finds this standard is met.

EDR-2 Relation of the Building to the Environment: Proposed development shall be related harmoniously to the terrain and to the use, scale and architecture of the existing buildings in the vicinity that have functional or visible relationship to the proposed buildings. The Arlington Redevelopment Board may require a modification in massing so as to reduce the effect of shadows on the abutting property in an R-1 or R-2 district or on public open space.

The proposed use will upgrade an existing storefront. It abuts similar storefronts, in varied condition. It fits well into its surroundings, particularly with Common Ground, the abutter to the east. The Board finds that the proposal meets this standard.

EDR-3 Open Space: All open space (landscaped and usable) shall be so designed as to add to the visual amenities of the vicinity by maximizing its visibility for persons passing by the site or overlooking it from nearby properties. The location and configuration of usable open space shall be so designed as to encourage social interaction, maximize its utility and facilitate maintenance.

The open space for this use is contained within a patio. The Board of Selectmen have jurisdiction over this public space, and will review the proposal at a later date. That being said, the patio seating is attractive and designed to facilitate interaction. The 12' aisle between the front door and patio will allow pedestrian passage. The Board finds that the proposal meets this standard.

EDR-4 Circulation: With respect to vehicular and pedestrian and bicycle circulation, including entrances, ramps, walkways, drives, and parking, special attention shall be given to location and number of access points to the public streets (especially in relation to existing traffic controls and mass transit facilities), width of interior drives and access points, general interior circulation, separation of pedestrian and vehicular traffic, access to community facilities, and arrangement of vehicle parking and bicycle parking areas, including bicycle parking spaces required by Section 8.13 that are safe and convenient and, insofar as practicable, do not detract from the use and enjoyment of proposed buildings and structures and the neighboring properties.

The site fronts on Broadway Plaza, with no vehicular traffic. Parking for this use is provided in the Russell Common parking lot, which is 480 feet from the front door of the facility. Section 8.01(a)(2) and 8.06 of the Zoning Bylaw allow parking off-site by special permit if it is within 600 feet of the subject property. The pedestrian circulation is protected by the 12' aisle between the front of the business and the seasonal patio seating. Bicycle parking is located at the western edge of the patio seating, closest to Medford Street. It is not specified how many bicycle parking spaces are provided. The bylaw requires a minimum of 2 bike parking spaces. The Board suggested that the applicant provide bike parking within the storage area for employees. The Board finds that the proposal meets this standard.

EDR-5 Surface Water Drainage: Special attention shall be given to proper site surface drainage so that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Available Best Management Practices for the site should be employed, and include site planning to minimize impervious surface and reduce clearing and re-grading. Best Management Practices may include erosion control and stormwater treatment by means of swales, filters, plantings, roof gardens, native vegetation, and leaching catchbasins. Stormwater should be treated at least minimally on the development site; that which cannot be handled on site shall be removed from all roofs, canopies, paved and pooling areas and carried away in an underground drainage system. Surface water in all paved areas shall be collected in intervals so that it will not obstruct the flow of vehicular or pedestrian traffic and will not create puddles in the paved areas.

In accordance with Section 10.11,b, the Board may require from any applicant, after consultation with the Director of Public Works, security satisfactory to the Board to insure the maintenance of all storm water facilities such as catch basins, leaching catch basins, detention basins, swales, etc. within the site. The Board may use funds provided by such security to conduct maintenance that the applicant fails to do.

The Board may adjust in its sole discretion the amount and type of financial security such that it is satisfied that the amount is sufficient to provide for any future maintenance needs.

The proposed work will not impact storm water drainage on the site. It will not alter the site conditions. The Board finds that the proposal meets this standard.

EDR-6 Utilities Service: Electric, telephone, cable, TV, and other such lines of equipment shall be underground. The proposed method of sanitary sewage disposal and solid waste disposal from all buildings shall be indicated.

The proposed facility will upgrade its electrical and plumbing service, and maintain other utilities as is. Sanitary sewage disposal will not be affected. The Board finds that the proposal meets this standard.

EDR-7 Advertising Features: The size, location, design, color, texture, lighting and materials of all permanent signs and outdoor advertising structures or features shall not detract from the use and enjoyment of proposed buildings and structures and the surrounding properties.

The signs as proposed are attractive and modern, and blend well with the signage at Common Ground. Both have a wall sign and small awning sign which will improve the appearance of Broadway Plaza. The Board finds that the proposal meets this standard.

EDR-8 Special Features: Exposed storage areas, exposed machinery installations, service areas, truck loading areas, utility buildings and structures, and similar accessory areas and structures shall be subject to such setbacks, screen plantings or other screening methods as shall reasonably be required to prevent their being incongruous with the existing or contemplated environment and the surrounding properties.

Truck deliveries will take place in the rear of the building, where there is an alley that runs off Alton Street. A dumpster will be contained within a fenced area. There is an area at the rear of the interior space not being used for the cafe that will be used for storage. The Board finds that the proposal meets this standard.

EDR-9 Safety: With respect to personal safety, all open and enclosed spaces shall be designed to facilitate building evacuation and maximize accessibility by fire, police and other emergency personnel and equipment. Insofar as practicable, all exterior spaces and interior public and semi-public spaces shall be so designed to minimize the fear and probability of personal harm or injury by increasing the potential surveillance by neighboring residents and passersby of any accident or attempted criminal act.

The front entrance to the property is very visible. The rear egress is onto an alley that is shared with other businesses located on Broadway Plaza and on Medford Street. The Board finds that the proposal meets this standard.

EDR-10 Heritage: With respect to Arlington's heritage, removal or disruption of historic, traditional, or significant uses, structures or architectural elements shall be minimized insofar as practical whether these exist on the site or on adjacent properties.

The property is located in the Arlington Center Historic District, though the property is not listed as historic. There will be minimal change to the defining characteristics of the building, its site, and environment, in keeping with the Town's Design Guidelines for Local Historic Districts. The Board finds that the proposal meets this standard.

EDR-11 Microclimate: With respect to the localized climatic characteristics of a given area, any development which proposes new structures, new hard surface, ground coverage or the installation of machinery which emits heat, vapor or fumes shall endeavor to minimize insofar as practicable, any adverse impacts on light, air and water resources or on noise and temperature levels of the immediate environment.

No new structures or outdoor machinery are proposed. The Board finds that the proposal meets this standard.

EDR-12 Sustainable Building and Site Design: Projects are encouraged to incorporate best practices related to sustainable sites, water efficiency, energy and atmosphere, materials and resources, and indoor environmental quality. Applicants must submit a current Green Building Council Leadership in Energy and Environmental Design (LEED) checklist, appropriate to the type of development, annotated with narrative description that indicates how the LEED performance objectives will be incorporated into the project.

The applicant will be substantially renovating the interior of the building, including Low-E glass to promote heat retention, LED light bulbs, and reclaimed lumber for wood floors and tables. Since this is an interior renovation, many of the LEED criteria are not relevant. The Board finds this standard is met.

Section 10.11a-6 **The requested use will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the health, morals, or welfare.**

The proposed use will enhance the character of the district by attracting shoppers and diners on foot and by bike, as well as motorists. The Board finds that the proposal meets the criterion.

Section 10.11a-7 **The requested use will not, by its addition to a neighborhood, cause an excess of that particular use that could be detrimental to the character of said neighborhood.**

While this is not the only cafe on Broadway Plaza, it will be an attractive addition to the neighborhood, providing additional spaces for people to eat, drink, and congregate in Arlington Center. This use will be a complement to the character of the neighborhood and other businesses. The Board finds that this standard is met.

General Conditions

The following Conditions are hereby made a part of the special permit:

1. The final plans and specifications approved by the Board for this permit shall be the final plans and specifications submitted to the Building Inspector of the Town of Arlington in connection with this application for a building permit. There shall be no deviation during construction from the approved plans and specifications without the express written approval of the Arlington Redevelopment Board.
2. Subsequent to the end of all applicable appeal periods and prior to the issuance of a Building Permit, the Applicant shall record this Decision in the Middlesex County South District Registry of Deeds and shall provide the Board, and the Building Inspector with a copy of this Decision endorsed with the applicable recording information.
3. All utilities serving or traversing the site (including electric, telephone, cable, and other such lines and equipment) shall be underground.
4. All utility work off site in public rights-of-way of the Town of Arlington shall be undertaken in accordance with the provisions of the Bylaws of the Town.

5. Upon the issuance of the building permit the Applicant shall file with the Building Inspector and the Department of Community Safety the names and telephone numbers of contact personnel who may be reached 24 hours each day during the construction period.
6. The Board, in issuing the permit, maintains continuing jurisdiction over this permit and after a duly advertised public hearing may attach other conditions or modify these conditions as it deems appropriate in order to protect the public interest and welfare.
7. No final or permanent Certificate of Occupancy shall issue on this project until the project is completed in its final form and approved by the Redevelopment Board as being in compliance with the final plans and specifications, including Special Conditions 1, 2 and 4 below. If these remain incomplete, a temporary certificate of occupancy shall be issued for this project.
8. The Building Inspector is hereby notified that he is to monitor the site and should proceed with appropriate enforcement procedures at any time he determines that violations are present. The Inspector of Buildings shall proceed under Section 10.09 of the Zoning Bylaw, pursuant to the provisions of Chapter 40A Section 21D, and institute non-criminal complaints. If necessary, the Inspector of Buildings may institute appropriate criminal action also in accordance with Section 10.09.
9. The Board maintains continuing jurisdiction over this permit, and may, after a duly advertised public hearing, attach other conditions, including but not limited to, reasonably restricting the retail opening hours, or it may modify these conditions as it deems reasonably appropriate to protect the public interest and welfare.

Special Conditions

1. A final Building Permit shall not be issued until all necessary Town permits are issued. This includes a Common Victualler's license from the Board of Selectmen and food permits from the Board of Health. Outdoor seating permit may be applied for later through the Board of Selectmen.
2. All deliveries must occur at the rear loading area accessed from Alton Street, as shown in the plans.
3. Applicant shall provide an indoor storage area for employees' bicycles that is safe, secure and out of the weather.

*Consistent
with Ord.*



Town of Arlington, Massachusetts

CITIZENS OPEN FORUM



Town of Arlington, Massachusetts

For Approval: Kurt Brown Memorial 5K Road Race 4/30/17

Summary:

Craig McDonnell

ATTACHMENTS:

Type	File Name	Description
▣ Reference Material	Ref_Mat_Kurt_Brown_3.27.17.pdf	application & report

**TOWN OF ARLINGTON
SPECIAL EVENT PERMIT APPLICATION**

Applicant and Sponsoring Organization Information

Name of Organization / Sponsor: Craig McDonnell

Address: 94 Brown St. #2 City: Arlington State: MA Zip: 02453

Applicant Name: Craig McDonnell E-mail: craig.mcdonnell@hhcc.com

Phone: 617 852-9886

Event Manager: same Contact Info: same

Other Contact Person/s: n/a Contact Info: n/a

Event Information

☒ Run/Walk ☐ Parade ☐ Event

Event Title: 5K Road Race - Kurt Brown Memorial

Start Date & Time(s): 4/30/17 9:00 a.m. End Date & Time(s): 4/30/17 11:00 a.m.

Estimated Attendance: # 50-75 Admission Fee: _____

Open to the Public: ☐ Yes ☐ No

Requested Location: Street (specify): 422 Summer St. - Summer St. Field/Rink

Route (specify): Will follow the Cause/Event route -SEE ATTACHED

Event Details

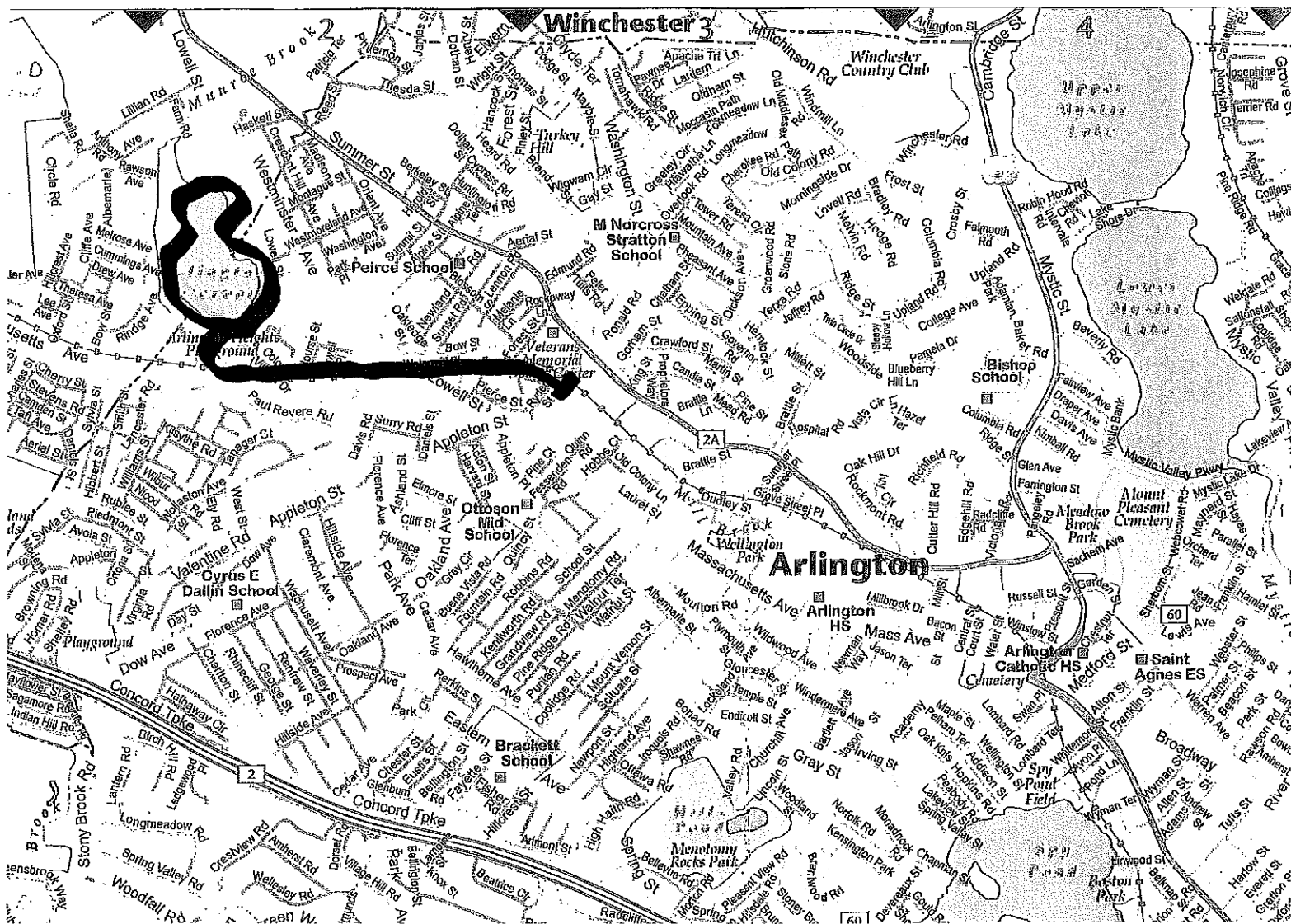
YES	NO	
<input type="checkbox"/>	<input type="checkbox"/>	Will you set up table(s) and/or chair(s)? Approximate number : _____
<input type="checkbox"/>	<input type="checkbox"/>	Booth(s), Exhibit(s), Display(s) and/or Enclosure(s): _____
<input type="checkbox"/>	<input type="checkbox"/>	Canopy(ies) and/or Tent(s)- describe dimensions: _____

The following is required by your organization to insure the safety and health of all participating in this event: *Note: You do not need to contact the departments below if it is not required.*

YES	NO	
<input type="checkbox"/>	<input type="checkbox"/>	Police Detail: <u>*</u> (contact police)

**Note the 5/16/16 5K Fun Run/Walk
reported a Police Detail was
not necessary (NAS)*

5 K Road Race – Kurt Brown Memorial



Along the bike path to the Town of Arlington Reservoir.

- **Begin:** Summer Street Field next to the Hockey Rink heading towards the Reservoir,
- Pass Hurd Field on the right and make one loop (counter-clockwise) around the Res
- Back to Hurd Field and down the bike path, with runners **ending** at the Summer St. Field.
- The loop at the Reservoir starts by heading toward Lowell Street, through the parking area, and turning right for a brief section to be run on the sidewalk towards Lexington. There is a sharp left-hand turn down into the wooded path that circumnavigates the Reservoir. Upon reaching the clearing on the back side of the Reservoir, there is a sharp right turn towards South Rindge Avenue, and then a sharp left turn back towards the reservoir and the path, which will be followed back towards Hurd Field.

ARLINGTON POLICE DEPARTMENT

CHIEF OF POLICE
Frederick Ryan



Town of Arlington
MASSACHUSETTS 02474

POLICE HEADQUARTERS
112 Mystic Street
Telephone 781-316-3900
Facsimile 781-316-3919

MEMORANDUM

TO: Marie Krepelka
Board Administrator

FROM: Officer Corey P. Rateau
Traffic and Parking Unit

DATE: March 23, 2017

RE: Kurt Brown Memorial 5K Road Race

The Arlington Police Department has reviewed the petition by Craig McDonnell to hold a Memorial 5K road race in Arlington on Sunday, April 30, 2017. The proposed route beginning at Recreation Center, continuing along the bike path, around the reservoir, and back to the Recreation Center via the bike path appears to be the same route as previously used by our Cross-Country Team. We have no objection to permitting this race with the following stipulations:

1. Prior approval is obtained from the Recreation Department
2. There are no significant events (games, tournaments, etc.) happening simultaneously at the Recreation Center that would create an impediment to area traffic.
3. The majority of the parking takes place at the Recreation Center parking lot. Any overflow vehicles must be parked in legal spaces and not pose any undue inconvenience to abutters.
4. The amount of participants is capped at 75 runners. If they wish to exceed this number, they will need to submit further information to re-evaluate the need for police details.
5. Permission is also obtained from the Town of Lexington since part of the race course is within their jurisdiction.

Please feel free to contact me if there are any further questions.

Cc: Frederick Ryan, Police Chief
Capt. Julie Flaherty, Support Services Commander
Lt. Paul Conroy, OIC/Traffic, Details, and Licensing
Sgt. Sean Kiernan, Details Supervisor
Jon Marshall, Director of Recreation
Adam Chapdelaine, Town Manager

"Proactive and Proud"



Town of Arlington, Massachusetts

For Approval: World Vision Global 6K For Water 5/7/17

Summary:

World Vision, Christina Lee

ATTACHMENTS:

Type	File Name	Description
▢ Reference Material	Ref_Mat_World_Vision_3.27.17.pdf	application & report

**TOWN OF ARLINGTON
SPECIAL EVENT PERMIT APPLICATION**

Applicant and Sponsoring Organization Information

Name of Organization / Sponsor: World Vision

Address: P.O. Box 9716 City: Federal Way State: WA Zip: 98063

Applicant Name: Christina Lee E-mail: christinalouiselee@gmail.com

Phone: 617-642-3263

Event Manager: Christina Lee Contact Info: _____

Other Contact Person/s: _____ Contact Info: _____

Event Information

☒ Run/Walk ☐ Parade ☐ Event

Other (specify): _____

Event Title: World Vision Global 6K for Water

Start Date & Time(s): 5/7/17 12:30pm End Date & Time(s): 5/7/17 3:30pm

Estimated Attendance: # 100 Admission Fee: \$50 to register

Open to the Public: ☐ Yes ☒ No

Requested Location: Street (specify): 14 Mill Street to entrance of Bike path up to Trader Joe's and back

Other (specify): _____

Set Up Date/Time & Description: 12pm: Inside 14 Mill Street & some balloons along bike path

Breakdown Date/Time & Description: 4pm Inside 14 Mill Street & along bike path

Event Details

YES

☐

☐

☐

NO

☒

Will you set up table(s) and/or chair(s)? Approximate number : _____

Booth(s), Exhibit(s), Display(s) and/or Enclosure(s): _____

Canopy(ies) and/or Tent(s)- describe dimensions: _____

The following is required by your organization to insure the safety and health of all participating in this event: *Note: You do not need to contact the departments below if it is not required.*

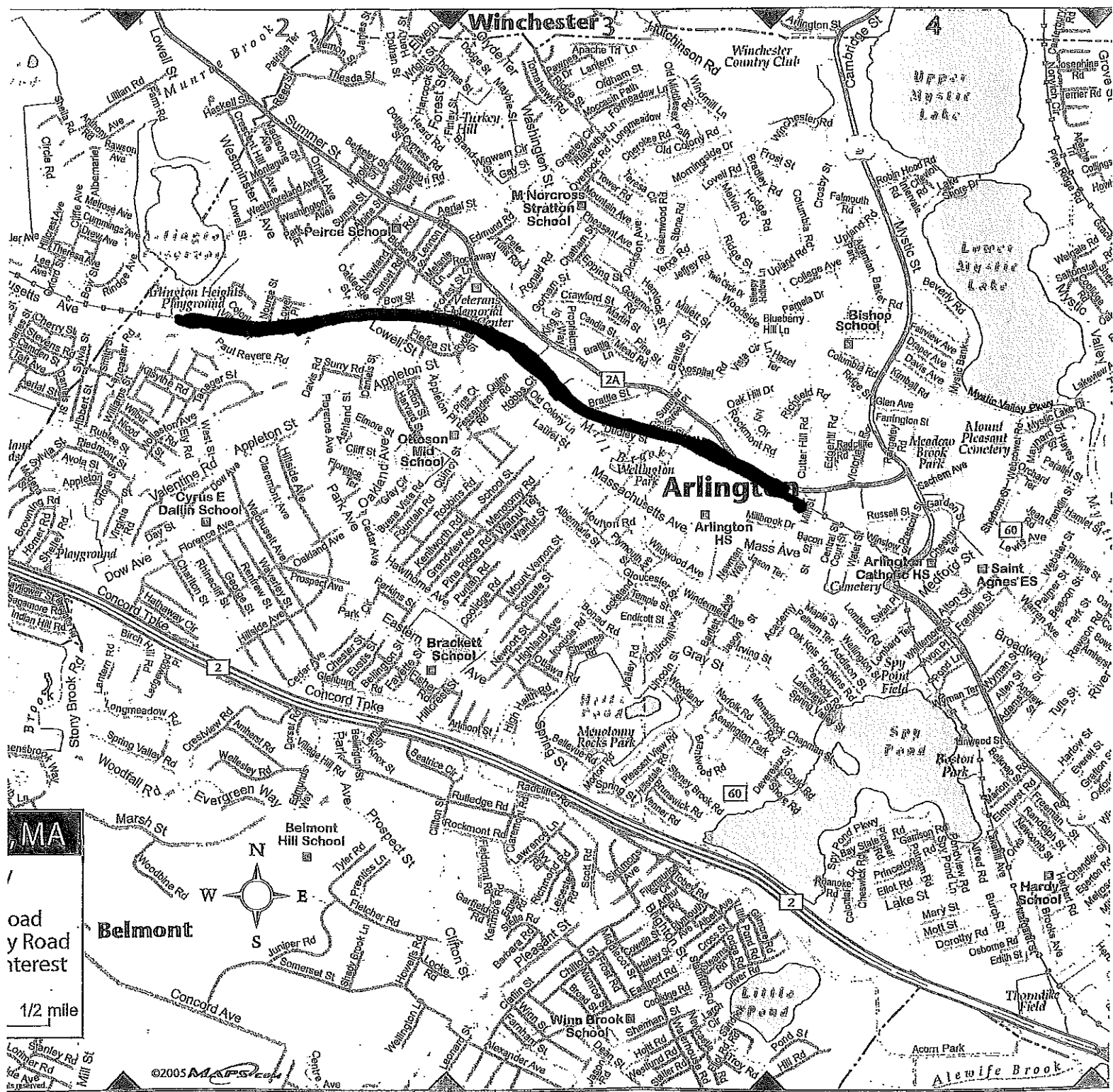
YES

☐

NO

☒

Police Detail: _____ (contact police)



From: Tina Lee <christinalouiselee@gmail.com>
To: mkrepelka@town.arlington.ma.us
Cc: Brian Dietz <brian@highrock.org>
Date: 03/10/2017 10:35 AM
Subject: Global 6K for Water

March 10, 2017

Board of Selectman
Town Hall
730 Mass Ave
Arlington, MA 02476

To Whom it May Concern:

I am writing to inquire if a permit would be necessary for a fundraising walk along the Minuteman Bikeway on Sunday, May 7, 2017 from approximately 1:00-3:00pm for about 100 people. The route would be 3.7 miles long starting at 14 Mill Street, proceeding to the western Mill Street entrance to the bikeway, headed west to Trader Joe's in Arlington Heights, and then returning following the reverse route.

If someone could please let me know at their earliest convenience, I would greatly appreciate it.

Best,
Christina Lee

ARLINGTON POLICE DEPARTMENT

CHIEF OF POLICE

Frederick Ryan



Town of Arlington
MASSACHUSETTS 02474

POLICE HEADQUARTERS

112 Mystic Street

Telephone 781-316-3900

Facsimile 781-316-3919

MEMORANDUM

TO: Marie Krepelka
Board Administrator

FROM: Officer Corey P. Rateau
Traffic and Parking Unit

DATE: March 23, 2017

RE: World Vision Global 6K For Water

The Arlington Police Department has reviewed the petition by Christina Lee to hold a 6K walk in Arlington on Sunday, May 7, 2017. Their proposed route begins at the High Rock Church facility located at 14 Mill Street, continues up Mill Street to the bike path, proceeds west on the path until to Trader Joe's and reverses route back to 14 Mill Street. We have no objection to permitting this race with the following stipulations:

1. Participants utilize either of the town-owned lots (Russell Common, Rail Road Ave) for parking.
2. Participants stay on the sidewalk while traveling from 14 Mill Street to the bike path.
3. Participants accommodate other users on the bike path and allow them to pass safely.
4. Participants cannot stop and congregate along the path. If they need to stop en masse, they should move off of the path to a grassy area.
5. The number of participants is capped at 100. If they wish to exceed this number, they need to contact the Police Department to re-evaluate any additional traffic/safety concerns.

Please feel free to contact me if there are any further questions.

Cc: Frederick Ryan, Police Chief
Capt. Julie Flaherty, Support Services Commander
Lt. Paul Conroy, OIC/Traffic, Details, and Licensing
Sgt. Sean Kiernan, Details Supervisor
Adam Chapdelaine, Town Manager

"Proactive and Proud"



Town of Arlington, Massachusetts

Articles for Review:

Summary:

Article 11 Bylaw Amendment/Residential Construction, Open Excavation, and Demolition Activity Regulations: Neighbor Notifications and Meetings
Article 12 Bylaw Amendment/Residential Construction, Open Excavation, and Demolition Activity Regulations: Building Site Maintenance
Article 13 Bylaw Amendment/Residential Construction, Open Excavation, and Demolition Activity Regulations: Abutter and Public Property Protections
Article 14 Bylaw Amendment/Residential Construction, Open Excavation, and Demolition Activity Regulations: Noise Abatement
Article 17 Bylaw Amendment/Regulation of Plastic Bags
Article 19 Vote/Appointment of Town Treasurer (tabled from 3/13/17 meeting)
Article 26 Acceptance of Legislation/Establishment of a Parking Benefits District
Article 29 Endorsement of CDBG Application
Article 30 Bylaw Amendment/Departmental Revolving Fund Bylaw
Article 31 Revolving Funds
Article 59 Resolution/Sanctuary Town (tabled from 3/13/17 meeting)

ATTACHMENTS:

Type	File Name	Description
D Reference Material	2017_Annual_Town_Meeting_Draft_Votes_and_Comments_No._1._Articles_11__12__13__14__17__26_and_59_(00019171)_(1).docx	Draft Votes & Comments, Warrant Articles #11,12,13,14,17,26,59



**Town of Arlington
Legal Department**

Douglas W. Heim
Town Counsel

50 Pleasant Street
Arlington, MA 02476
Phone: 781.316.3150
Fax: 781.316.3159
E-mail: dheim@town.arlington.ma.us
Website: www.arlingtonma.gov

MEMORANDUM

TO: Board of Selectmen

FROM: Douglas W. Heim

DATE: March 23, 2017

RE: **Votes and Comments for Articles: 11, 12, 13, 14, 17, 26 and 59**

I write to provide the Board the following as draft Votes and Comments for your consideration at Monday's Board of Selectmen meeting regarding the previously heard, above-referenced warrant articles. I note that where existing bylaw provisions are amended by a vote, underlined text signifies new or additional wording, while strikethrough text signifies words and clauses to be eliminated.

**ARTICLE 11 BYLAW AMENDMENT/RESIDENTIAL CONSTRUCTION, OPEN
EXCAVATION, AND DEMOLITION ACTIVITY REGULATIONS:
NEIGHBOR NOTIFICATIONS AND MEETINGS**

VOTED: That Title VI, Article 7, be and is hereby amended as follows to add new categories of construction required for notice and additional substantive notice requirements:

ARTICLE 7 NOTICE OF DEMOLITION, OPEN FOUNDATION EXCAVATION, NEW CONSTRUCTION, OR LARGE ADDITIONS

- A.** The owner of any building or parcel who intends to have such building demolished, engage in open foundation excavation, engage in new residential construction, or build a large addition must, ~~at the least~~ within at least seven (7) calendar days prior to the commencement of any site work (including demolition or open foundation excavation) or within seven (7) calendar days of the filing of an application for a Building Permit, whichever date is earlier ~~prior thereto~~, give notice by first-class mail to all abutters and current occupants (to the extent practicable) within 200 feet of such building or construction site before such demolition, construction or open foundation excavation can commence.
- B.** The notice required herein shall, at a minimum, contain a site plan for any applicable residential demolition, open foundation excavation, alteration or construction project, as well as information detailing the hours of operation for the project, anticipated completion date, work schedule, and health, safety, and abutting property protections, and as appropriate, noise abatement measures applied by the developer or contractor of the project.
- C.** “Demolition” shall be defined as the act of pulling down, destroying, removing, or razing 50 % or more of a building, or commencing the work of total or substantial destruction with the intent of completing the same.
- “Open foundation excavation” shall be defined as an open and exposed excavation for the purposes of constructing or expanding a residential building foundation. Satisfaction of open foundation excavation requirements of this Article shall not be construed to satisfy any additional requirements set forth in Title V Article 3 of these bylaws.
- “Large additions” shall be defined as an alteration or addition in any residential district which increases the size of a building by 750 square feet or more, or by 50% or more of the existing building's gross floor area.
- D.** ~~When applying for~~ Prior to issuance of a demolition or building permit, or commencing an open foundation excavation the applicant shall demonstrate to the satisfaction of the Inspector of Buildings that he or she has given the notice required herein, by providing a list of those notified, a copy of the notice, and an affidavit stating when it was mailed.
- E.** Violators of this bylaw will be subject to a fine of \$200 per day upon notification of the Building Inspector.

(4-0) Mr. Greeley was absent.

COMMENT: This bylaw amendment is the first of a suite of recommendations from the Residential Study Group established at the 2016 Annual Town Meeting to examine and address some broadly shared concerns about the impacts of residential construction on neighbors and neighborhoods throughout Arlington. Specifically, the proposed motion expands: a) the categories of residential construction activities that trigger the requirement of owners, contractors, and/or developers to send a notice to abutters (neighboring owners and/or occupants) within 200 feet of the project site; and b) the required content of such notices to include site plans, project timelines and working hours, as well as other valuable information specific to a given project.

The Residential Study Group's believes that these expanded notices will help improve awareness of residential construction before it commences, foster shared expectations between contractors/builders and residents, and encourage communication and dialogue to address concerns and enable residents to plan accordingly. For example, it is particularly important for residents who work from home, or with young children or children with special needs to be apprised of potentially disruptive construction activities so they may plan accordingly; and similarly advise contractors of important circumstances to consider.

Finally, the Town Meeting action recommendations by the Group will be accompanied by both increased staffing in Inspectional Services and the development of a residential construction "good neighbor agreement" or set of rules that codifies all the relevant Town and State bylaws and regulations (including those before Town Meeting if approved) in one place so that contractors/builders and residents to further add clarity and mutual understanding to the rules and expectations of the Town. Thus, the Board, grateful for the time, energy, and teamwork of the Residential Study Group, highly recommends Town Meeting's approval of this amendment.

**ARTICLE 12 BYLAW AMENDMENT/RESIDENTIAL CONSTRUCTION, OPEN
EXCAVATION, AND DEMOLITION ACTIVITY REGULATIONS:
BUILDING SITE MAINTENANCE**

AND

**ARTICLE 13 BYLAW AMENDMENT/RESIDENTIAL CONSTRUCTION, OPEN
EXCAVATION, AND DEMOLITION ACTIVITY REGULATIONS:
ABUTTER AND PUBLIC PROPERTY PROTECTIONS**

VOTED: That Title VI be and hereby is amended to add a new article, “Article 9: Residential Construction Site Control and Maintenance,” to read as follows:

ARTICLE 9: RESIDENTIAL CONSTRUCTION SITE CONTROL AND MAINTENANCE

A. Purpose and Applicability

The purpose of this article is to establish construction site maintenance requirements for residential demolition, open foundation excavation, new construction, and large addition projects in the interests of minimizing adverse impacts on the neighboring community and promoting public health and safety.

B. Definitions

1. “Demolition shall be defined as the act of pulling down, destroying, removing, or razing a removing, or razing 50 % or more of a building, or commencing the work of total or substantial destruction with the intent of completing the same.
2. “Open foundation excavation” shall be defined as an open and exposed excavation for the purpose of constructing or expanding a residential building foundation. Satisfaction of open foundation excavation requirements of this Article shall not be construed to satisfy any additional requirements set forth in Title V Article 3 of these bylaws.
3. “Large additions” shall be defined as an alteration or addition in any residential district which increases the size of a building by 750 square feet or more, or by 50% or more of the existing building's gross floor area.

C. Site Maintenance Requirements

Throughout the course of any demolition, open foundation excavation, new construction, or large addition project as defined herein, the primary contractor, builder, or developer shall be required to keep the residential construction in neat and orderly condition. Specifically, the construction site shall be required to be maintained as follows:

1. All waste shall be managed and secured daily so as not to impact site abutters or the surrounding area and at a minimum, dumpsters shall be cleaned or removed every thirty (30) calendar days;
2. Portable restrooms shall be secured, maintained, free from the public way and placed at least ten (10) feet from adjacent residential properties unless otherwise permitted by the Town through the Building Inspector or his or her designee;

3. Construction equipment and materials shall be stored in safe, secure and non-obstructive locations on the site or as otherwise permitted by the Town through the Building Inspector or his or her designee;
4. Construction equipment and materials no longer to be used on the site, shall be removed from the site within 14 calendar days, unless otherwise permitted by the Town through the Building Inspector or his or her designee;
5. A drive entrance pad, or its equivalent, shall be placed, utilized, and maintained on site to provide an area where construction vehicles entering and exiting the building site can remove mud and sediment from tires prior to driving on public or private ways, unless determined technically infeasible by the Building Inspector or his or her designee;
6. In interests of public safety and protecting abutting property owners, lateral supports shall not be removed from any footing or foundation without first protecting such footings or foundations against settlement or lateral translation.

D. Violations and Fines

Violations of the foregoing requirements shall be determined by the Inspectional Services Department. A fine of \$50 per category of violation per day for the first seven (7) calendar days of such violations or violations shall be imposed upon notification of the Building Inspector. A fine of \$100 per category of violation or violations per day shall be imposed thereafter until conditions are corrected and the construction site is in compliance with each of the foregoing requirements.

(4-0) Mr. Greeley was absent.

COMMENT: The Board of Selectmen also recommends favorable, consolidated action on Articles 12 and 13, through the creation of a new Article 9 under Title VI to mandate rules of residential project site maintenance and care, which will mitigate adverse impacts on direct abutters and the Town generally. The proposal sets forth a series of straightforward rules covering a wide range of issues the Town and the Residential Study Group has received feedback on as problematic during the course of construction.

**ARTICLE 14 BYLAW AMENDMENT/RESIDENTIAL CONSTRUCTION, OPEN
EXCAVATION, AND DEMOLITION ACTIVITY REGULATIONS:
NOISE ABATEMENT**

VOTED: That Title V, Article 12, Section 3.A. be and is hereby amended as follows:
Section 3.Daytime-Only Activities.

The following acts are specifically prohibited.

**A. Prohibited Times. Operating, or permitting the operation of, any of the
following devices or vehicles:**

- 1. before ~~8:00~~9:00 A.M. or after 5:00 p.m. on Saturday, Sunday or legal holiday**
- 2. before ~~7:00~~ 8:00 A.M. or after 6:00 P.M. on all other days, ~~or:~~**
- ~~3. after 8:00 P.M. on any day, in any zone in the Town:~~**
 - a. Heavy equipment (as defined in Section 1), and**
 - b. All electric motors or internal combustion engines, or other construction
devices, tools or equipment, used in construction, drilling, demolition,
maintenance, or earth moving, including but not limited to bulldozers,
backhoes, concrete mixers, dump trucks, pneumatic tools, rollers,
scrapers, air compressors, generators, jackhammers, cranes, pavement
breakers, pile drivers, rock drills, and chainsaws.**

(4-0) Mr. Greeley was absent.

COMMENT: As the final piece of the Residential Study Group's recommended Town Bylaw actions, this amendment proposes a simple adjustment to the existing noise abatement regulations on the permissible hours of certain construction activities. While disruptive noise is impossible to entirely extract from residential construction, and the bylaw as presently constructed or amended only applies to heavy equipment operation and other specific activities as listed in Section 2(b), this proposal would better reflect and protect the needs of residents during early morning and evening hours. Accordingly, with gratitude for the excellent and extensive work of the Study Group, the Board of Selectmen strongly urges favorable action on this matter.

ARTICLE 17

BYLAW AMENDMENT/REGULATION OF PLASTIC BAGS

VOTED: That Title VIII (Public Health and Safety) be and hereby is amended by adding a new “Article 9: Plastic Bag Reduction” to read as follows:

ARTICLE 9: PLASTIC BAG REDUCTION

Section 1. Purpose and Intent

The reduction in the use of disposable single-use plastic shopping bags by retail establishments in the Town of Arlington (“Town”) is a public purpose that has positive impacts on the environment, including, but not limited to: protecting the marine environment, reducing solid waste and unnecessary strains on recycling resources, minimizing litter, reducing the Town’s carbon footprint, and protecting local water ways.

The purpose of this bylaw is to reduce the number of single-use plastic bags provided by all retail establishments in the Town by banning, after a reasonable phase-in period, the distribution of single-use plastic bags provided at checkout.

Section 2. Definitions

- A. ***Checkout Bag:*** A carry-out bag provided by a retail establishment to a customer at the point of sale. Checkout bags shall not include:
- (1) Bags, whether plastic or not, in which loose produce or products are placed by the consumer to deliver such items to the point of sale or checkout area of the retail establishment;
 - (2) Laundry or dry cleaner bags;
 - (3) Newspaper bags; or
 - (4) Bags used to contain or wrap frozen goods, meat or fish, whether prepackaged or not, to prevent leakage or contain moisture.
- B. ***Department:*** The Arlington Department of Health and Human Services
- C. ***Director:*** The Director of Health and Human services
- D. ***Disposable, Single-Use Plastic Shopping Bag:*** Any checkout bag made predominately of plastic derived from either petroleum, natural gas, or a biologically based source, such as corn or other plant sources, which is provided to

a customer at the point of sale. The term, “disposable single-use plastic shopping bag” includes:

- (1) Degradable plastic bags; and
- (2) Biodegradable plastic bags that are not commercially compostable as well as commercially compostable plastic bags.

The term “disposable single-use plastic shopping bag” shall not include:

- (1) Reusable bags;
- (2) Produce bags; or
- (3) Product bags.

As used in this definition, the terms “produce bag” or “product bag” mean any bag without handles used exclusively to carry produce, meats or other food items to the point of sale inside a store or to prevent such food items from coming into direct contact with other purchased items.

E. ***Reusable Bag:*** A sewn bag with stitched handles that is: specifically designed and manufactured for multiple reuse; manufactured from polyester, polypropylene, cotton or other durable material excluding polyethylene or polyvinyl chloride; and which also meets the following requirements:

- (1) Can carry at least 25 pounds over a distance of 300 feet;
- (2) Is machine washable or is made of a material that can be cleaned or disinfected at least 125 times; and
- (3) Is at least 4 millimeters thick.

F. ***Recyclable Paper Bag:*** A paper bag that is 100 percent recyclable and contains at least 40 percent post-consumer recycled content, and displays the words “Recyclable” and “made from [at least] 40% post-consumer recyclable content” in a visible manner on the outside of the bag.

G. ***Retail Establishment:*** Any commercial enterprise, whether for or not-for-profit, including, but not limited to the following: restaurants, pharmacies, convenience and grocery stores, liquor stores, seasonal and temporary businesses, jewelry stores, household goods stores and any other business that offers the sale and display of merchandise.

Section 3. Restrictions on Use of Disposable Plastic Shopping Bags

- A. No retail establishment, as defined in section 2, shall provide a disposable plastic shopping bag to any customer for the purpose of enabling the customer to carry away goods from the point of sale.**
 - 1. This section shall not preclude any retail establishment from making reusable bags available for sale to customers or utilizing recyclable paper bags at the point of sale or other checkout point.**
 - 2. The Director may promulgate additional rules and regulations to implement this section consistent with the foregoing.**

Section 4. Penalties and Enforcement

- A. Each retail establishment, as defined in section 2, located in the Town shall comply with this by-law.**
 - 1. If it is determined that a violation has occurred, the Director, or his or her designee in the Department, shall first issue a “warning notice” to the retail establishment for a first time violation.**
 - 2. If after 14 days from receipt of the warning notice, the retail establishment continues to violate this by-law or commits a second violation, the Director shall issue a notice of violation and shall impose a penalty against the retail establishment.**
 - 3. The penalty for each violation that occurs after the issuance of the warning notice shall be no more than:**
 - (i) \$50.00 for the first offense;**
 - (ii) \$100 for the second offense;**
 - (iii) \$150 for the third and all subsequent offenses.**
 - 4. No more than one penalty shall be imposed upon a retail establishment within a seven calendar day period.**
 - 5. Retail establishments shall have 15 calendar days after the date that a notice of violation is issued to pay the penalty or request a hearing in writing to the Director.**
- B. The Director may promulgate additional guidelines and regulations necessary for the effective enforcement of this bylaw, consistent with the foregoing.**

Section 5. Effective Date

All of the requirements set forth in this by-law shall take effect on or before March 1, 2018, for retail establishments with a floor area equal to or exceeding 10,000 square feet, and on or before July 1, 2018, for retail establishments with a floor area of less than 10,000 square feet.

Section 5. Waivers

In the event that compliance with the effective date of this by-law is not feasible for a retail establishment because of either unavailability of alternative checkout bags or economic hardship, the Director may grant a waiver of not more than six months upon application of the owner or owner's representative. The Director may provide one additional six-month waiver upon showing of continued infeasibility or hardship, as set forth above.

Section 7. Severability

The provisions of this bylaw are severable; and if any of the provisions of this bylaw shall be held unconstitutional or otherwise invalid by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions.

(4-0) Mr. Greeley was absent.

COMMENT: The Board of Selectmen recommends favorable action on this detailed, well researched proposal by Town residents to reduce the number of plastic bags used for checkouts at grocery stores, pharmacies, retailers, and restaurants in Arlington. As presented to this Board, not only are plastic bags often an eyesore throughout our community and a waste of finite natural resources, but they also jam recycling machinery, do not biodegrade in landfills, release toxic emissions when incinerated, and present dangers to marine wildlife. They also have extremely low recycling rates where recycling rather than prohibition is pursued.

The proposed bylaw is endorsed by the Arlington Recycling Committee, the Arlington Board of Health, the Friends of Spy Pond Park, and a number of other civic organizations, and builds on the successes of other, similar measures in neighboring communities ranging from Concord to Somerville. Moreover, thorough research of such communities' experiences strongly suggests that there will be no added costs to consumers. Finally, several Arlington retailers and restaurants which have voluntarily ceased use of plastic bags for checkout/carry-out purposes note that their costs have generally declined or remained level as paper alternatives and reusable bags have proved more cost-effective for both them and their customers.

**ARTICLE 26 ACCEPTANCE OF LEGISLATION/ESTABLISHMENT OF A
PARKING BENEFITS DISTRICT**

VOTED: That the Town does hereby adopt provisions of Chapter 218 of the Acts of 2016 (“An Act Modernizing Municipal Finance and Government”), Sections 26, 27 and 30 regarding the authorization to establish Parking Benefits Districts in the Town of Arlington, including any subsequent amendments or modifications thereto, such adoption shall be effective upon acceptance.

(4-0) Mr. Greeley was absent.

COMMENT: The Board of Selectmen enthusiastically endorses positive action on this article, which accepts a provision of the Massachusetts Municipal Modernization Act to enable the Town to establish “Parking Benefits Districts.” Through the establishment of these districts, the Town may segregate its parking revenues for expenditure in designated geographic areas (for example, the areas with parking meters) for a wide range of purposes including parking meter maintenance, increased street sweeping or snow removal, beautification, or larger street and infrastructure improvements such as lighting improvements or roadway improvements. These districts have been tremendously successful throughout the country, and represent an innovative means of focused investment, particularly in commercial districts in Town.

It should be noted that it is the Town Manager’s intention that any operating improvements in a parking benefit district still be brought before the Finance Committee, while any capital improvements be brought before the Capital Planning Committee; and further that both would subsequently be presented to Town Meeting in a manner similar to the CDBG disbursements.

ARTICLE 59 RESOLUTION/SANCTUARY TOWN

VOTED: It is hereby resolved that:

WHEREAS, the Town of Arlington desires to provide safety, opportunity, access, and equality for all immigrants and people of all ethnicities and religions; and

WHEREAS, the federal government’s Immigration and Customs Enforcement (“ICE”) Priority Enforcement Program, uses local law enforcement data to identify suspected “criminal aliens” in local custody; and

WHEREAS, ICE issues civil immigration detainer requests which allow for prolonged detention during which ICE investigates the immigration status of suspected “criminal aliens” in local custody; and

WHEREAS, fear of detainer requests and other immigration enforcement measures inhibits many community members from seeking protection from public safety officials and from providing aid to public safety officials during investigations of crimes; and

WHEREAS, the Arlington Police Department (“APD”) has demonstrated its commitment to both the inclusionary values of the Town of Arlington and the efficacy of engendering trust throughout all facets of the Arlington community in the service of all residents without any sacrifice in its ability to protect residents from violent criminals; and

WHEREAS, Town Meeting wishes to voice its support for APD’s continuation of its present practices, and make it known that all persons are safe from discriminatory law enforcement in Arlington.

NOW, THEREFORE, BE IT RESOLVED, that Town Meeting joins and supports APD’s sound policing and human rights policies of refusing to investigate, arrest, or detain persons based purely on their immigration status without any other suspicion or cause.

NOW, THEREFORE, BE IT RESOLVED, that Town Meeting joins and supports APD’s sound policing goal to keep all individuals, regardless of immigration status, who are violent or otherwise a threat to the public good off the streets.

BE IT FURTHER RESOLVED, that Town Meeting supports and encourages APD in fostering trust in a diverse community by specifically declining to arrest, detain, or extend the length of custody of an individual solely on the basis of a civil immigration detainer request, unsupported by a criminal warrant signed by a judge and/or probable cause.

BE IT FURTHER RESOLVED, that Town Meeting supports and encourages APD in specifically declining to respond to any ICE notification request seeking information about an individual’s incarceration status, length of detention, home address, work address, personal information, hearing information, or pending release.

BE IT FURTHER RESOLVED, that Town Meeting supports and encourages APD in specifically declining to join in any operation led by a federal agency for the sole purpose of identifying and/or detaining persons not accused of any crime for deportation purposes, which would erode parts of our community’s trust and could hamper effective law enforcement.

BE IT FURTHER RESOLVED, that Town Meeting supports and encourages APD, and other Town first responders and officials, in declining to inquire about the citizenship or immigration status of the victim of a crime, a person who is reporting a crime or a medical emergency, a person who requires aid, or witnesses, family members and/or bystanders unless required by valid federal or state law.

BE IT FURTHER RESOLVED, that Town Meeting supports and encourages each Town department and official to refuse to gather information regarding the citizenship or immigration status, or religious or ethnic identity of individuals, unless such information is required by law to be gathered, or is necessary to provide a public benefit to the individual.

BE IT FURTHER RESOLVED, that Town Meeting supports and encourages each Town department and official to refuse to gather information regarding the religious or ethnic identity of any person for the purposes of ICE detentions and deportation actions or the creation or maintenance of a registry of individuals based upon their religious affiliation, ethnicity, or national origin, unless required by valid federal or state law, or directly relevant to business between that individual and the agency or department.

BE IT FURTHER RESOLVED, nothing in this resolution shall prohibit or restrain any Town official or department from sending to, or receiving from, any local, state, or federal agency, information regarding citizenship or immigration status, consistent with 8 U.S.C. section 1373.

(5-0)

COMMENT: The Board of Selectmen values and respects the thorough and civil debate that has already taken place to date on this article. There are relatively few instances where national politics on an issue as broad as immigration impacts a local government's functions and a community's values so distinctly as the issue of how our local police force should operate and expend its resources relative to the enforcement federal immigration laws. The resolution recommended by this Board and the Arlington Human Rights Commission endorses and encourages the Arlington Police Department's existing, operationally sound and humane practices with respect to gathering and disseminating information on the immigration status of the residents, workers, and visitors in Arlington.

These practices, considered consistent with a immigration "Trust Act" in other communities, will be bolstered by this resolution because one of the critical virtues of this resolution is making it clear to undocumented immigrants – as witnesses, victims of crimes, concerned residents or visitors, or others in need to assistance – that the Town of Arlington and its police force and first responders are here to protect and serve this community, not engage in deportation activities. Through advertising such a message, we believe Arlington is a safer and more welcoming community because no one will avoid providing information to APD or seeking appropriate assistance from the Town out of fear of immigration repercussions. Moreover, it maintains the tone of this community, as perhaps best reflected every year at Town Meeting, that we invite engagement and we invite dialogue with this Town's government.

Many real and important concerns have been articulated in opposition to this resolution and we do not dismiss them lightly, including the unlikely, but potential loss of federal funds (which under legal norms should be limited to homeland security-related activities). However, it must be stressed that this is not a matter of complying with one set of laws to ignore others we

find merely inconvenient. Rather, it is an occasion where conflicting laws and foundational legal principles, including the rights and powers of state and local governments versus the federal government are brought into focus. The Selectmen believe that we have the right and duty to support our police force and other Town personnel in a just practice that benefits our community; that we should not have our arms twisted to our own detriment and the detriment of others. Therefore, we unanimously recommend this resolution to Town Meeting.



Town of Arlington, Massachusetts

Requesting Reduction to Traffic on Alfred Road and Lake Street

Summary:

Tom and Romy Wilhelm with Alfred Road Residents

ATTACHMENTS:

Type	File Name	Description
▢ Reference Material	Alfred_Road_CR.pdf	Correspondence from Alfred Road Residents, meeting notice

RECEIVED
SELECTMEN'S OFFICE
ARLINGTON, MA 02470

2017 MAR 10 PM 12:05

Dear Selectmen,

As you are all surely aware, Lake Street has had morning and evening rush-hour traffic problems for years. Every day cars are backed up from Mass Ave, through Brooks Ave. and the Minuteman Bikepath, all the way to the Rt. 2 off ramps, making for 25+ minute trips down Lake St.

Commuter usage of residential side streets to bypass portions of this gridlock and rejoin Lake Street has grown right along with the traffic. We understand that the town has ordered several traffic studies over the years. While to date, none of the recommended solutions to the larger Lake Street traffic problem appear have been implemented, last year the Selectmen did quickly address the specific issue of cars cutting down Mary Street, immediately south of Lake, to bypass traffic before rejoining the line at Margaret St. Two different signage changes made by the town last year have greatly reduced commuter use of Mary Street. We're sure the residents of that neighborhood appreciate these changes to make their streets safer.

However, those drivers didn't stop seeking a cut-through to reduce their commute time. After the "Do Not Enter" signs were put up on Little John, Wilson, and Homestead last year, GPS-based car and phone direction apps like "Waze" started redirecting drivers north instead, through Kelwyn Manor to Princeton then Alfred Road, and back onto Lake, as the "fastest route". The negative effect on Alfred Road was almost immediate.

While it may in fact be a public road and along the "fastest route", Alfred Road is a small, narrow, and densely settled residential street. It was not designed to handle high volumes of through traffic. The road itself has not been repaved in years, has substantial buckling, and is overall not in the best shape. Cars parked along both sides of the road make navigation difficult.

Furthermore, Alfred carries higher than normal pedestrian and bike traffic. Each morning, many Kelwyn residents use Alfred to walk to Hardy School. Biking and walking commuters heading to homes in Kelwyn Manor frequently use our street during the afternoon and evening. This is not to mention our own children and grandchildren who frequently play near the road.

All it will take is one speeding driver (we regularly see cars travelling at 35-40mph or more) not seeing a crossing pedestrian or a child running out from their driveway for an unspeakable tragedy to unfold. The situation represents a serious safety hazard for all of us with children, grandchildren, other loved ones, and even pets.

On top of this critical safety issue, there is often a line of 10 to 15 cars backed up to re-enter Lake St, blocking travel in the opposite direction and making it very difficult to turn onto our own street to get home. Commuters using Alfred nose out onto Lake St, crossing the (imaginary) double yellow line on Alfred, making it impossible to make a right turn from Lake St. Standing traffic adds substantial pollution to our air on calm days.

The undersigned residents of Alfred Road are requesting that the Selectmen take appropriate and timely action to prevent the continued use of our tiny neighborhood as a cut-through. Additionally, we urge the Selectmen to move forward with implementing improvements to ameliorate the larger Lake Street traffic problem as soon as possible. The traffic issue will never improve without changes to the bike path crossing. It would only take one visit to Alfred Road during 5-6pm to witness how much this traffic issue is affecting the residents of this small neighborhood.

Sincerely,

Tom & Romy Wilhelm
Robin Sung & Chris Barbour
Sasha & Mia Zaganjori
Lee & Sandra Gera
Julia & Josh King
Joe & Eilleen Hart
Darla & Mike Hart
David & Lauren Kopans
Kathe Rhodes
Naomi & Jay Gonsalves
Bryan and Sonya Bonczek
Jess & Mike Lawrence
Galo Lopez
Anna Tarkoff
Sarah Hill

OFFICE OF THE BOARD OF SELECTMEN

DIANE M. MAHON, CHAIR
DANIEL J. DUNN, VICE CHAIR
KEVIN F. GREELEY
STEVEN M. BYRNE
JOSEPH A. CURRO, JR.



730 MASSACHUSETTS AVENUE
TELEPHONE
781-316-3020
781-316-3029 FAX

TOWN OF ARLINGTON
MASSACHUSETTS 02476-4908

March 15, 2017

Tom and Romy Wilhelm
25 Alfred Road
Arlington, MA 02474

Dear Alfred Road Residents:

We are in receipt of your correspondence in which you discuss traffic issues on Alfred Road and Lake Street.

Thank you for writing to the Board of Selectmen. Your correspondence will appear on the March 27th Selectmen's Agenda under "Correspondence Received". Although it is not necessary for you to attend the meeting, you may do so if you are so inclined.

If you have any questions, please do not hesitate to contact this office.

Very truly yours,
BOARD OF SELECTMEN

A handwritten signature in cursive script, reading "Marie A. Krepelka".

Marie A. Krepelka
Board Administrator

MAK:fr



Town of Arlington, Massachusetts

Request Removal of Parking Prohibition on Mystic Street

Summary:

Paul Schlichtman, 47 Mystic Street

ATTACHMENTS:

Type	File Name	Description
▢ Reference Material	P._Schlichtman_e-mail.docx	P. Schlichtman e-mail
▢ Reference Material	Screen_Shot_2017-03-10_at_12.12.05_PM_(5).png	Mystic Street Sign
▢ Reference Material	Schlichtman_CR.doc	Meeting Notice

rom: **Paul Schlichtman** <paul@schlichtman.org>
Date: Fri, Mar 10, 2017 at 12:48 PM
Subject: Parking on Mystic Street
To: SByrne@town.arlington.ma.us, JCurro@town.arlington.ma.us, DDunn@town.arlington.ma.us, KGreeley@town.arlington.ma.us, DMahon@town.arlington.ma.us,
Marie Krepelka <mkrepelka@town.arlington.ma.us>
Cc: Adam Chapdelaine
<achapdelaine@town.arlington.ma.us>, CRateau@town.arlington.ma.us

Dear Members of the Board of Selectmen:

First, let me say how pleased I am with the reconstruction of the street and sidewalks on Mystic Street. The work was beautifully done, and the striping to provide parking and bicycle lanes has provided order to the flow of traffic on the street.

The net result of the solid stripes of the bicycle lane is to prohibit travel in the curb lane. However, old parking signs still prohibit parking in this lane from 7-9 a.m. and 4-6 p.m on the west side of Mystic Street between Russell Street and Chestnut Street. The striping renders these restrictions unnecessary.

The parking signs on that section of Mystic Street are also in poor condition (see attached photograph).

Given the need to replace the deteriorated signage, I would ask the Board to look into removing the parking prohibition, and possibly replacing it with the 4 hour parking restriction that is consistent with the new signage being erected in the neighborhood.

Also, I would like to call your attention to the Traffic Rules and Orders on your website, as the content for Schedule I - Parking is now missing.

<http://www.arlingtonma.gov/town-governance/laws-and-regulations/traffic-rules-and-orders/schedule-i-parking>

NO
PARKING
7-9AM
4-6PM

OFFICE OF THE BOARD OF SELECTMEN

DIANE M. MAHON, CHAIR
DANIEL J. DUNN, VICE CHAIR
KEVIN F. GREELEY
STEVEN M. BYRNE
JOSEPH A. CURRO, JR.



730 MASSACHUSETTS AVENUE
TELEPHONE
781-316-3020
781-316-3029 FAX

TOWN OF ARLINGTON
MASSACHUSETTS 02476-4908

March 15, 2017

Paul Schlichtman
47 Mystic Street, Apt. 8C
Arlington, MA 02474

Dear Mr. Schlichtman:

We are in receipt of your correspondence dated March 10th in which you discuss parking on Mystic Street near Arlington Center.

Thank you for writing to the Board of Selectmen. Your correspondence will appear on the March 27th Selectmen's Agenda under "Correspondence Received". Although it is not necessary for you to attend the meeting, you may do so if you are so inclined.

If you have any questions, please do not hesitate to contact this office.

Very truly yours,
BOARD OF SELECTMEN

Marie A. Krepelka
Board Administrator

MAK:fr



Town of Arlington, Massachusetts

NEW BUSINESS



Town of Arlington, Massachusetts

EXECUTIVE SESSION



Town of Arlington, Massachusetts

Next Scheduled Meeting of BoS April 3, 2017